St. Robert Bellarmine, S.J.

The Power of the Supreme Pontiff

In Temporal Matters Contra Barclay

Gpt-5 Translation

ON THE POWER OF THE SUPREME PONTIFF CONTRA BARCLAY

GPT 5 PRO

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IN TEMPORAL MATTERS CONTRA BARCLAY

FROM OPERA OMNIA VOLUME TWELVE
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PREFACE

The person who recently published Barclay's book on the Power of the Pope has not dared to reveal his own name, nor that of the printer, nor even the place where the book was printed. For although in some copies the book is said to have been published in Musipont [Pont-à-Mousson], I have determined with certainty that this was fabricated. He evidently feared, and not without cause, punishment or censure; he did not expect reward or praise. He freely revealed only the name of the author, which the author himself, were he alive, would perhaps have gladly concealed, knowing that he had been summoned and taken to the supreme judge and no longer had any dealings with mortals. These are surely not indications of a good work; for "whoever does evil hates the light, and does not come to the light, lest his works be exposed; but whoever does what is true comes to the light, so that it may be clearly seen that his works have been carried out in God," John 3.

Barclay himself, perhaps fearing that he might be accused of incredible arrogance and rashness if, like another Goliath, he alone came forth against the ranks of all Catholic writers, concealed the multitude of his adversaries and deliberately undertook to attack only my writings. But I do not consider myself so important as to believe that the cause of the universal

Church depends on me alone. I know my imperfections; I know that I am just one among many, and I will not allow the common cause to be prejudiced whether I stand or fall in debate. For this reason, I will first bring forward the opinions of the most distinguished writers from every nation of the Christian world, so that everyone may understand that Barclay's opinion is singular and opposed to all Catholic writers, both theologians and professors of sacred canons and civil laws.

It would be astonishing if Barclay were alive now and, introduced into the theater of so many most learned men—Italians, Frenchmen, Spaniards, Germans, and Englishmen—would dare to look upon so many opposing luminaries, or to open his mouth, or to mutter anything at all. Then, so that no one may doubt the opinion of the Catholic Church, I will gather the Fathers of many councils into what might be called one great council, where several Supreme Pontiffs, not a few Patriarchs, numerous Archbishops, Bishops, Abbots, and other most learned men, who once sat assembled in various places and times, now all convene together and overwhelm with their judgments the one Barclay called into their midst.

Finally, when it has been sufficiently established, both from individual writers and from general councils, what the understanding of the Catholic Church is concerning the power of the Supreme Pontiff in temporal matters, then at last I will proceed to resolve Barclay's objections and examine his arguments. And since Barclay universally denies the power of the Supreme Pontiff in temporal matters, I too will universally affirm that same power, not laboring much over whether that power is absolute, or extends only in relation to spiritual matters. Therefore, in reporting the opinions of illustrious writers of the Western Church on the Power of the Pope in temporal matters, it seemed appropriate to begin with the Italian nation, because I

observe the same practice was followed in the Council of Constance, Session 41.

Opinions of Illustrious Writers of the Italian Nation

First, therefore, from the Italian nation, let St. Gregory VII, Pope, come forward, who in Book VIII of his Register, epistle 2 to the Bishop of Metz, extensively teaches that Christian princes can be excommunicated by the Roman Pontiff and deprived of their principality, and their subjects absolved from obedience to them: "As for what," he says, "you requested, to be aided and fortified by our writings against the infamy of those who mutter with unspeakable mouths that the authority of the Holy and Apostolic See could not excommunicate King Henry, nor absolve anyone from the oath of fidelity to him, etc."

St. Thomas Aquinas, who not only flourished with excellent doctrine but shone with such glory of sanctity that it cannot be doubted that he was very far from any flattery toward the Pontiff, in Summa Theologica 2-2, question 10, article 10, says: "It must be considered that dominion and authority were introduced by human law, but the distinction between faithful and infidels is by divine law. However, divine law, which comes from grace, does not abolish human law, which comes from natural reason. Therefore, the distinction between faithful and infidels, considered in itself, does not abolish the dominion and authority of infidels over the faithful. Nevertheless, such right of dominion or authority can justly be removed by the judgment or ordinance of the Church, having the authority of God, because infidels by reason of their infidelity deserve to lose power over the faithful, who are transformed into children of God. But the Church does this sometimes and sometimes does not." Thus St. Thomas, who says two things against Barclay: one is that dominion and

authority were introduced by human law, not by divine law, as Barclay frequently affirms; the other is that by the authority of the Church, which without doubt resides most fully in the Pope, infidel princes can be deprived of the dominion they have over the faithful. Nor by "infidels" does St. Thomas understand only pagans, as Barclay seems to think, but all infidels, whether they are pagans, Jews, or heretics. For in article 6 of the same question, he enumerates and compares among themselves the species of infidelity, and says: "Heretics are absolutely and simply worse infidels than pagans and Jews." Then in article 10, he explicitly pronounces concerning all infidels that they can be deprived of the dominion they have over the faithful, if the Church judges it expedient. He repeats the same in question 12, article 2, and adds: "For other crimes as well, masters can be deprived by the Church of the dominion they have over others." The same in the same Summa 2-2, question 60, article 6: "To the third objection, secular power is subject to spiritual power as the body is to the soul, and therefore it is not a usurped judgment if a spiritual prelate interferes in temporal matters." The same St. Thomas in 2 Sentences, distinction 44, at the end, says that in the Pope is the apex of both powers, spiritual and temporal. The same, if indeed it is the same, in On the Governance of Princes, Book III, chapter 10: "If it is said that the plenitude of pontifical power refers only to spiritual power, this cannot be, because the corporeal and temporal depends on the spiritual and eternal." And in chapter 19: "A similar thing happens in the case of the prince of an entire kingdom, because for the preservation of governance, his power is extended over his subjects by imposing taxes, destroying cities and castles for the preservation of the entire kingdom. Much more, therefore, will this befit the highest and supreme Prince, that is, the Pope, for the good of all Christianity." Thus he says. Although there is some doubt whether this is by St. Thomas,

since in the following chapter 20, he makes mention of Emperor Albert, whose times St. Thomas did not reach in his lifetime; and because in the cited chapter 10, he more than once calls St. Peter the successor of Christ, using the word "successor," which those who speak properly, as St. Thomas especially does, are not accustomed to use. Nevertheless, the author is ancient and learned, whom Barclay cannot scorn.

St. Bonaventure, a most learned man and most holy Bishop Cardinal of Albano, was so far from flattery of the Pontiff that not even a slight suspicion of such a crime ever adhered to him. He nevertheless, in his book On Ecclesiastical Hierarchy, part 2, chapter 1, speaks thus: "Indeed, priests and pontiffs can remove kings and depose emperors for cause, as has happened quite often and has been seen, namely when their wickedness demands it and the necessity of the commonwealth so requires. But the Supreme Pontiff, in whom the highest authority on earth resides, is judged not by a king, not by a secular prince, not by any man, but is reserved for the judgment of God alone."

Giles of Rome, of the Order of St. Augustine, Archbishop of Bourges, in his treatise On Ecclesiastical Power, part 1, chapter 30, says: "But someone might say that kings and princes are subject to the Church spiritually but not temporally, but those who say this do not grasp the force of the argument: for if kings and princes were subject to the Church only spiritually, there would not be sword under sword; temporal things would not be under spiritual things; there would be no order in powers; the lowest things would not be led to the highest through the middle." Thus he says, who throughout that entire treatise proves that the power of the Church, which is most fully in the Supreme Pontiff, extends not only to spiritual matters but also to temporal ones.

Blessed Augustine Triumphus, also known as Augustine of Ancona, was such a pious and learned man that we see the title of "blessed" inscribed on his tomb. In his book On the Power of the Church, question 22, article 3, he says: "Who will deny that the Emperor can be deposed by the Pope? For it is the role of the same person to depose the Emperor as it is to establish him, which the examples themselves declare." See many other things in the entire fortieth question.

Blessed John of Capistrano, who illustrated the Catholic Church with doctrine and miracles, in his book On the Power of the Pope, part 2 of the second principal part, in the eighteenth argument, page 54 of the Venetian edition of 1588, says: "The Pope, who should excel princes in spiritual matters, should similarly excel in temporal matters, so that as the more dignified because of his eminence, he is held as supreme in all things."

St. Antoninus, Archbishop of Florence, a man equally holy and learned, and most foreign to any appearance of flattery, in his Summa, part 3, title 22, chapter 3, §7, says: "Such is the power of emperors, kings, and princes, because it must be instituted, regulated, and confirmed by the Pope, if it is good; and by him it must be judged and condemned, if it is not good." Likewise in chapter 5, §7, he says: "He can depose the kings themselves for a reasonable cause."

Isidore of Milan, of the Order of Preachers, in book 3 On the Dignity of the Church Militant Empire, title 8, conclusion 3, says: "The Pope can depose an emperor and king when their demerits demand it."

Gabriel Biel, a distinguished theologian, in lecture 23 on the Canon of the Mass, says: "He rules and guards, who for the governance of the Church itself, placed one (namely the Pope) over all, so that all may be governed by one, just as the body is governed by the head." And near the end: "The Pope transfers the

supreme secular power from nation to nation, and can depose the emperor, etc."

Thomas Cajetan, of the Order of Preachers, Cardinal of the Holy Roman Church, distinguished for doctrine and integrity of life, in his Apology on the Compared Authority of the Pope and Council, part 2, chapter 13, to the eighth, teaches the same: for with the eighth argument of the adversary proposed in these words: "Eighth, because some Supreme Pontiffs are found to have defined that they have supreme power in temporal matters; others, however, the opposite." He responds with these words: "To the eighth, it is said that because the power of the Pope is directly with respect to spiritual matters for the absolutely supreme end of the human race, therefore two things befit his power: first, that it is not directly with respect to temporal matters; second, that it is with respect to temporal matters in relation to spiritual matters. For this he has from the fact that all things, even temporal ones, must be ordered to the supreme end, doubtless by him whose concern it is to direct all to that end, as is the Vicar of Christ; but the first follows from the nature of his power. From these it follows that he can truly determine both that the Pope has supreme power in temporal matters and that he does not have supreme power in temporal matters, since both are true in the proper understanding. For the affirmation is true in relation to spiritual matters, but the negation is true directly, according to temporal matters themselves. Hence, no error arises from either decision."

Alexander of Sant'Elpidio, of the Order of Hermits of St. Augustine, in his book On the Authority of the Supreme Pontiff and the Jurisdiction of the Empire, chapter 9, says: "He who is not subject to God's Vicar and ecclesiastical power is not subject to God. Therefore, no king, no temporal prince, of whatever condition he may be, can be excepted, if he wishes to confess

himself Christian in name and in fact, because even in temporal matters they must be subject to the supreme spiritual power."

Peter of Monte, a Venetian and Bishop of Brescia, in his Monarchy, part 2, question 4, at the end, says: "The Pope has great power over the Emperor, because for a crime he deposes him."

Peter Ancharano, on the chapter Canonum statuta, n. 6, on the constitution, says: "The Pope has both swords and superiority to the empire, and hence it is that he crowns and anoints the emperor, and sometimes deposes him."

Sylvester Prierias, of the Order of Preachers, a most learned theologian and canonist, in his Summa, under the word "Pope," n. 10, says: "The Pope can elect the emperor by himself immediately, when it would be expedient for a just and reasonable cause, because it is the role of the principal agent, having to direct all the faithful to peace and the spiritual end, to choose ministers." And below: "He can excommunicate an emperor worthy of excommunication, and depose one worthy of deposition." And number 14: "He has (the Pope over all Christian kings and princes) universal jurisdiction of spiritual and temporal matters." And below: "He can depose for a reasonable cause."

Astensus in his Summa, part 1, book 2, title 64, article 4, page 201, says: "From the aforesaid, gather that secular princes and temporal lords, not only because of their own heresy, but also because of negligence in extirpating the heresy of others, are to be excommunicated, to be deposed by the Church, to be expelled from their lands, and their lands can be exposed for Catholics to occupy; and the same if a prince is found negligent, insufficient, and inept concerning the kingdom and the administration of justice. Hence Zachary deposed Childeric, and Innocent deposed Otto."

Nicholas, Abbot of Palermo, in the chapter solite, on major et obed., number 7, says: "The Pope can reasonably rebuke the emperor and other secular princes, and no wonder, for he can depose them for cause." He teaches the same in the chapter Per venerabilem, Which children are legitimate.

John of Anania, Archdeacon of Bologna, in the chapter licet, on vows, number 10, says: "The Pope deprives a layman of the order of generation, because he has power over kings and kingdoms. Hence he deposes the emperor."

Bartolus, in law si imperator. C. on laws, number 4, says: "The right of electing the emperor belongs to the princes of Germany, and the right of depriving belongs to the Pope alone."

Baldus in the proem fl. vet., says: "The Pope alone deprives the emperor."

Peter Andreas Gambara, in his treatise On the Office and Power of the Legate, book 2, title On the Various Names of Ordinaries, number 220, says: "The Pope alone deposes emperors and kings, when their demerits so persuade."

Restaurus Castaldus, in his book On the Emperor, question 81, says: "The Pope alone without a Council deposes the emperor, because the tribunal of the Pope and of Christ is one." And below: "The Pope punishes and deposes a prince, however exempt, if it is expedient."

Dominic Cardinal Tuscus, a most learned man, who still lives and published a great work a few years ago, in the sixth volume of Practical Conclusions, under the word "Pope," cites many authors for this very proposition: to him I refer the reader if anyone wants more authors.

Opinions of Illustrious Writers of the French Nation

St. Bernard, in Book IV of On Consideration, chapter 4, says: "Why do you again attempt to use the sword which you were once commanded to put into its sheath? Yet he who denies that this sword is yours does not seem to me to pay sufficient attention to the word of the Lord who says: 'Put your sword back into its sheath.' Therefore it is yours, and perhaps is to be drawn at your nod, though not by your hand. Otherwise, if it did not pertain to you at all, when the Apostles said, 'Behold, here are two swords,' the Lord would not have responded, 'It is enough,' but 'It is too much.' Therefore both swords belong to the Church, namely both the spiritual sword and the material sword. But the latter is to be used for the Church, while the former is to be used by the Church. The former is in the hand of the priest, the latter in the hand of the soldier, but certainly at the nod of the priest and the command of the emperor." Thus says St. Bernard, who certainly would not say that the material sword belongs to the Church and is to be drawn not only for the Church but at the nod of the priest, if, like Barclay, he thought that power in temporal matters in no way pertains to the Church and its Head. But we will say more about this opinion in its proper place.

Peter de Palude, Patriarch of Jerusalem, a most learned man, in his treatise On the Immediate Cause of Ecclesiastical Power, article 4, which is on the power of the Pope, speaks thus: "Although the Pope does not have to confirm any king who from the beginning assumed the kingdom with the consent of the people, nevertheless he can depose any such king, not only because of heresy or schism or another crime intolerable to the people, but also because of incompetence, as for instance, if some idiot or one lacking strength in power were to preside over the kingdom, and because of his incompetence the kingdom of the faithful would be endangered." And below, giving a reason, he says: "Because the Pope is superior in spiritual matters, and

consequently in temporal matters as far as is necessary for spiritual good."

Durandus, Bishop of Meaux, a distinguished theologian, in his book On the Origin of Jurisdictions, question 3, says: "Because both powers, temporal and spiritual, are necessary, therefore Christ conferred both powers on Peter." And below: "These are the true boundaries of spiritual and temporal jurisdiction established from the foundation of the Church, which it is not permitted to transgress, because temporal jurisdiction in no way extends to spiritual matters, about which it knows nothing; but spiritual jurisdiction extends primarily and principally to spiritual matters, secondarily, however, and by a certain consequence, it extends to the actions of men concerning temporal matters, which are ordered to spiritual matters as to their end."

Herveus Brito, of the Order of Preachers, Master General and a most acute theologian, in his treatise On the Power of the Pope, section "For the evidence of the second," speaks thus: "It pertains to the Pope to correct every abuse both of Ecclesiastical and earthly power in any person existing among the Christian people."

James Almain, in his treatise On Supreme Ecclesiastical and Temporal Power, principal question 2, which is on supreme secular power, chapter 5, to the third allegation, says: "The Pope can depose the emperor in two cases: first, for a purely spiritual crime, such as heresy; second, when those to whom it pertains by ordinary right are negligent in deposing him." In the same place, to the fourth allegation, he says thus: "If the people of the empire were to become heretical, or were to transfer themselves to another sect, abandoning the Christian sect, the Pope could for this reason deprive that people of imperial dignity, and thus transfer it to another people."

Henry Cardinal of Ostia, in his Summa, title On Heretics, paragraph "With what penalty they are punished," number 11, says: "Note that temporal lords, not only because of their own heresy, but also for that of others, which when admonished they neglect to exterminate though they can, can be excommunicated and their lands can be exposed to be occupied by Catholics. The same if a prince is found negligent concerning governance and the administration of justice. Hence Pope Zachary deposed Childeric, king of the Franks."

Peter Bertrand, Cardinal and Bishop of Autun, in his treatise On the Origin of Jurisdiction, question 4, number 5, says: "Spiritual power ought to dominate every human creature, and just as Jesus Christ while he was in this world, and also from eternity, was the natural Lord, and by natural law could have pronounced sentences of deposition and condemnation upon emperors and any others, so by the same reasoning his Vicar."

John de Silva, treatise On Benefice, part 3, question 8, says: "And the Pope can depose a king."

Stephen Aufrerius, in his treatise On the Power of Seculars, numbers 35 and 6, says: "The Pope deposes the emperor himself as an inferior when causes demand it; and in all difficult matters and major difficulties generating scandal in Christianity, the Pope can, by reason of this superiority, intervene even among laymen and exercise this power attributed to him by God."

William Durandus, Bishop of Mende, commonly called the Speculator, in his Speculum, book 1, title On the Legate, section "Now it must be shown," number 17, says: "The Pope deposes the emperor because of his iniquities and gives guardians to princes, where they are useless for ruling."

John Faber, on the first law, number 10, C. Supreme Trinity and Catholic Faith, says: "But concerning the Pope, there is no doubt that he is superior to all Christians, both in temporal and

spiritual matters." And below: "When it concerns prejudice to the soul or people, the Pope can and ought to provide, and if necessary, depose any kings whatsoever."

Egidius Bellamera, Bishop of Avignon, in chapter Alius, 15, question 6, number 2, says thus: "The Pope can depose the emperor, who acknowledges temporality from him." And below: "Also other kings, although they do not hold their kingdoms in fief from him, nor acknowledge their temporalities from him, nor swear an oath of fidelity to him, namely for crimes and negligence." And below: "The deposition of kings to be made by the Pope proceeds not from that ordinary power, but from a certain supreme and absolute power, and that the Pope has that supreme and absolute power seems very just and greatly expedient for the commonwealth, namely that there should be some supreme monarch who can correct the excesses of such kings and administer justice concerning them." See the same author on chapter Novit, on Judgments, and on chapter Solitae, on Majority and Obedience.

John Quintin Haedus, in his repetition to chapter Novit, on Judgments, number 64, says: "Therefore we hold that both swords have been given to the Church, that is, that the Pontiff of the Church has the right and power in spiritual matters and at the same time in all temporal matters, and can for cause establish and decree about these things, whose decrees are to be followed; for although he is a mortal man, nevertheless he is endowed with heavenly power." And below, number 127: "By this right, Pope Zachary, in the year of Christ's birth 753, deprived Childeric, the legitimate king of Gaul by a long series of ancestors and possessor of his ancestral kingdom, of his kingdom, and substituted in his place Pepin the Belgian, alleging it to be a sin that a man unequal to such power, inactive and doing nothing, should control the rudder of the commonwealth." And below: "Hence also Leo, as

Roman Pontiff, supported by the same authority, likewise made Charles, king of the Gauls, Roman emperor."

Raymond Rufus, against Molinaeus, chapter 6, page 106, says: "We are not ignorant that Pope Leo III transferred the empire, taken from the Greeks, to Charlemagne: for both our Annals and the books of the Greeks testify to this. This right, sought by him, both Charlemagne and his French and German posterity considered rightfully theirs. I omit Pepin made king by Stephen II, or as some say, by Zachary, Childeric, the slothful, stupid, and dull king having been thrust into a Monastery."

Opinions of Illustrious Writers of the Spanish Nation

St. Raymond, in his Summa, book 1, title On Heretics, section 7, says: "From the above, among other things, notably gather that a judge or secular power, not only because of his own heresy, but also because of negligence against extirpating heresy, can not only be excommunicated by the Church but also deposed; and extend this punishment and the power of the Church whenever any secular prince shall be useless, dissolute, and negligent concerning governance and the observance of justice. 17, question 4, section If any prince."

Pelagius Alvarez, Bishop of Silves, raised from the Order of Minors, in his treatise On the Lamentation of the Church, book 1, article 21, says: "The Pope transfers the empire and confirms the emperor, anoints and crowns the one canonically elected; and deprives of the empire the contumacious and the persecutor of the Church."

John of Torquemada, Most Learned Cardinal of the Holy Roman Church, in his Summa on the Church, book 2, chapter 113, proposition 4, teaches that the Pope by right of the papacy does not have directly, outside his ecclesiastical principality,

power in temporal matters; but in chapter 114, he teaches through sixteen conclusions that the Pope in relation to spiritual matters has the most ample power in temporal affairs. I will cite here only one conclusion: "Fourth proposition, the Roman Pontiff is seen to have jurisdiction even in temporal matters, because he can coerce not only secular princes who are delinquent concerning the use of their jurisdiction through ecclesiastical censure, but also those notably negligent he can depose from dignity." Let the reader see the whole chapter and the commentary of the same author on chapter Alius, 15, question 6.

Cyprian Benet of Aragon, of the Order of Preachers, in his book On the First See of the World, in response to the sixth for the second part of the first conclusion, says: "In the tradition of the keys is included also the conferral of earthly powers for the conservation of spiritual goods."

Francisco de Vitoria, of the Order of Preachers, On the Power of the Church, Relectio 1, question 5, proposition 8, says: "In relation to the spiritual end, the Pope has the most ample temporal power over all princes, and kings, and the emperor." And below: "When it is necessary for the spiritual end, he can not only do all things that secular princes can, but also make new princes, and remove others, and divide empires."

Dominic de Soto, of the Order of Preachers, in 4 Sentences, distinction 25, question 2, article 1, conclusion 5, says: "Whatever civil power is subject to the ecclesiastical in relation to spiritual matters, so that the Pope by his spiritual power, whenever the reason of faith and religion shall demand, can not only act against kings with the thunderbolts of ecclesiastical censures and coerce them, but even deprive all Christian princes of temporal goods, and proceed to their deprivation."

Alfonso de Castro, of the Order of Minors, book 1, chapter 7, On the Just Punishment of Heretics, says thus: "Nor should

anyone wonder that the Pope, because of the crime of heresy, deposes the king from royal dignity and deprives him of the kingdom, since in the matter of faith, even kings, just like others who are inferior, are subject to the supreme Pontiff."

James Simanca, Bishop of Badajoz, in his book On Catholic Institutions, title 45, number 25, says: "Although Ecclesiastical power is distinct from secular, and the Pope does not have civil jurisdiction in the kingdoms of secular princes, nevertheless in relation to the spiritual end, the Supreme Pontiff has the most ample power over all Orthodox princes. Hence if any prince were useless, or were to establish iniquitous laws against religion or against good morals, or were to do anything similar to the detriment of spiritual matters, the Pope could, having observed just circumstances, apply a suitable remedy, even depriving such a prince of administration and jurisdiction."

Dominic Bañez, in 2-2, question 10, article 10, at the end of the commentary, paragraph "Fourth conclusion," says: "So also from positive divine law is the power which the Pontiff has to take away dominion and jurisdiction from infidels over the faithful; but when this power is to be used is left to his dominion or judgment." And question 12, article 2, in the commentary, paragraph "Concerning the ultimate conclusion," he says: "The Church not only deprives perfectly apostate princes of dominion over subjects, but also those who have fallen in some way into heresy."

Martin Ledesma, in the second part of the fourth, question 20, article 4, conclusion 8, says: "In relation to the spiritual end, the Pope has the most ample temporal power over all princes, and kings, and the emperor."

Gregory of Valencia, in 2-2, disputation 1, question 12, point 2, assertion 2, says: "By ecclesiastical law, through the authority and sentence of the supreme Pontiff, someone can certainly be

deprived of dominion and authority over subjects because of the sin of apostasy from the faith, nor is there any doubt about this assertion among the truly Orthodox."

William of Montserrat, Catalan, in his treatise On the Succession of Kings, number 40, says: "The Pope, Vicar of Christ, with cause can deprive any Christian prince, as he deprived and deposed Childeric, king of France, and established Pepin in his place, and transferred the Roman empire from the Greeks to the Germans."

Alfonso Alvarez, in the Mirror, chapter 16, says: "Hence it is that the Pope can transfer the empire from a certain type of persons, with the greatest cause, to another type." And below: "And he deposes the emperor himself, as an inferior, when the greatest and difficult causes demand it."

Antonio de Cordoba, of the Order of Minors, book 1, of the Questionary, question 57, doubt 3, says: "Civil power is subject, not indeed to the temporal power of the Pope, but to the spiritual in some way, in case of necessity or great utility of spiritual matters. And the Church, and especially the Pope, has power and authority, or some temporal jurisdiction in relation to the spiritual end, over all men, and princes, and all things, and kingdoms of the whole world."

Luis de Molina, volume 1 On Justice and Law, treatise 2, disputation 29, conclusion 3, says: "The spiritual power of the supreme Pontiff for the supernatural end has, as if by consequence, attached to it the supreme and most ample power of temporal jurisdiction over all kings and others who are of the Church; precisely, however, as much as the supernatural end demands, to which spiritual power is ordered. Wherefore, if the supernatural end requires it, the supreme Pontiff can depose kings and deprive them of their kingdoms."

Diego Covarruvias, in his treatise On Restitution on the Rule, Sin, part 2, section 9, number 7, says: "This opinion is true in this sense, that the Pope truly has temporal power even over the emperor, insofar as it is useful and necessary for the governance of the Catholic Church and the use of spiritual power."

Fernando Vázquez, book 1, of Illustrious Controversies, chapter 21, says: "Besides, the Pope has jurisdiction even in temporal matters, insofar as they are necessary for spiritual expedition." And below: "This is admitted commonly by supporters of both sides."

Miguel de Aniñón, in his treatise On the Unity of the Sheepfold and the Shepherd, number 12, says: "In the Pope is both supreme powers, although he does not have the use of the temporal sword; and because the power of the Pope emanated immediately from God, and is subject to God alone, but the power of the emperor is from the Vicar of Christ, to whom it is subordinated, therefore the Pope can transfer the empire from a certain type of persons to another, and he anoints and crowns the emperor, confirms, approves, and disapproves, and also deposes him when causes demand."

Martin de Azpilcueta [Navarrus], in his Commentary on chapter Novit, on judgments, Note 3, number 41, says: "Ecclesiastical power is a species of power distinct from the secular, and far more noble than it, as gold is a species of metal distinct from the species of lead, and more noble than it; and which strictly includes only supernatural matters, indirectly however natural matters to the extent that they are necessary for the attainment of the supernatural end." And below, number 99, he says: "The reason is gathered why the Pope can depose kings so negligent in ruling their kingdoms that because of it the people of God subject to them are drawn back from attaining eternal

life." Further, this author cites very many others to the same opinion.

Opinions of Illustrious German Writers

Stephanus, Bishop of Alberstadt, in his epistle which is found in the Appendix of Marianus Scotus, speaking of Emperor Henry IV: "Lord Henry," he says, "is a heretic, and for his abominable evils, he has been excommunicated by the Apostolic See, and can obtain neither kingdom nor any power over us, because we are Catholic."

Hugo of St. Victor, a Saxon by birth, a man most celebrated for his doctrine and sanctity, in Book 1 on the Sacraments, part 2, chapter 41, says: "The spiritual power must both institute the earthly power so that it exists, and judge it if it is not good. The spiritual power itself, however, was first instituted by God, and when it deviates, it can be judged by God alone."

Henry of Ghent, in quodlibet 6, question 33, says: "This first Hierarch after Christ over the universal Church was Peter, to whom Christ handed over both keys, and committed two swords; so that the governance of the universal Church, both in spiritual and in temporal matters, pertained to him."

Ulrich in his Summa, says thus: "If a king were manifestly heretical, or if, when requested by the Church, he nevertheless neglected the governance of his kingdom, especially in matters of faith, that is, if he did not strive for the extirpation of heretics, he could be deposed from royal dignity by the Church." This author is cited by John of Torquemada in the place cited above.

Bl. Dionysius the Carthusian, in his book On Political Government, article 10, says: "In the Church of God there is one supreme Pontiff, namely the lord Pope, in whom resides the fullness and apex of both powers and dominion, that is, both

spiritual and secular power: therefore he has jurisdiction and authority over all kingdoms and principalities of the faithful not only in spiritual matters, but also in temporal matters, when a rational cause requires it. For he can depose the emperor and kings, and deprive them of their kingdoms if their life deserves it."

John Driedo, in book 1 on Christian Liberty, chapter 14, says: "Indeed, it must not be passed over in silence here, that the Pope, from the fullness of his power over all Christian princes, can deprive kings and princes of their kingdoms and empires for the crime of heresy, and completely exempt the Christian people in temporal matters from obedience and subjection to them." See also chapter 9, where the author demonstrates that temporal power is subject to spiritual power in relation to the supernatural end.

Albert Pighius, in book 5 on Ecclesiastical Hierarchy, chapter 2, says: "Wherefore, all these (namely kings and Christian princes), as they are part and members of the Church, necessarily also are subject to the President of the Ecclesiastical hierarchy, who directs them with the reins of his authority, holds all conspiring together for their mutual benefit and that of the whole body, keeps them in office, corrects the transgressors, and if the necessity of the whole administration requires it, removes them from office, and establishes others in their place, or commands them to be established by those to whom this very thing pertains by right or custom." See the same author in chapter fourteen, where he repeats the same thing and proves it with examples.

James Latomus, in his book On the Church, chapter 14, says: "From the same principle it is concluded that a king, or any other earthly Christian prince, can be rightfully deprived of his kingdom and principality by the Church; because the kingdom and principality, with the persons, as said above, pass into the

body and jurisdiction of the Church through sacred baptism, and through the free acceptance of the Christian religion, dedicated, consecrated, and given to Christ and His spouse by an irrevocable donation." Thus he, who demonstrated in another book, which he entitled On the Primacy of the Roman Pontiff, that the fullest power of the Church resides in the supreme Pontiff.

Conrad Brunus, in book 3 on Legations, chapter 6: "This jurisdiction," he says, "encompasses civil and criminal judgments, denunciations and inquisitions, accusations, and also punishments and ecclesiastical censures concerning ecclesiastical persons and matters, and in many cases is also given concerning lay persons and for temporal matters. In all these things the supreme Pontiff has the fullest jurisdiction, while Archbishops, Bishops, etc., have a determined and limited jurisdiction."

Opinions of Illustrious English and Scottish Writers

Alexander of Hales, an Englishman of the Order of Minors, a most learned man, and the teacher of Saints Thomas and Bonaventure, in part 4, question 10, in the explanation of the Canon of the Mass on the words "And for king N.," says: "The spiritual power must instruct the earthly power, and judge it if it is good: the spiritual power itself, however, was first instituted by God, and when it deviates, it can be judged by God alone." The same Alexander, in part 4, question 79, members 5 and 6, says: "God willed that some should have power over many others; and then others over fewer; and so on until one would be reached, namely the Pope, who is immediately under God." In this place, Alexander teaches that the Pope so presides over all powers that he alone is immediately under God.

Robert Holcot, an Englishman, in his lectures on the Book of Wisdom, lecture 200, says: "Here, however, is the king of kings, to whom all nations and peoples are subject, who receive temporal things from him: nevertheless, he ought to be subject to the priesthood and to the supreme Pontiff." And further: "Samuel anointed David as king, as a figure that the Vicar of Christ and the Prelate of the Church confers principality and royal power for the utility of the Church, whence the right and authority to examine the person elected as king, and to promote him to empire, pertains to the Pope."

Francis of Meyronnes, a Scot, in his Commentary on the 4th book of Sentences, distinction 19, question 4, says: "The fullness of power according to both jurisdictions coincides in the same person; this is evident from the authority of Christ saying: 'Whatsoever thou shalt bind, etc.'"

John Baconthorpe, an Englishman of the Carmelite Order, in the Prologue to the Commentary on the 4th book of Sentences, question 11, article 4, says: "The Pope has the authority to judge kings and kingdoms in matters of war and peace: for he can compel temporal princes to keep peace and justice with one another." And below: "He has the power to depose a king, and to assign the kingdom to another, by reason of his iniquity or the uselessness of his person. Likewise, he has the power to depose the emperor, and to give the empire to another, if he does not defend the Church."

Thomas Netter of Walden, of the same Order, in book 2 of his Ancient Doctrinal Faith, article 3, chapter 75, explaining in what sense St. Gregory called himself the servant of the emperor: "Indeed," he says, "neither did the blessed Pope Gregory prejudice in any way the eminence of his status above the status of the emperor, when in word he placed the king before himself, with attention given to the matter which was then being discussed,

which we shall then appropriately see if we seek his later deeds and writings. See whether he does not consider himself the master of both emperors and kings, when after certain privileges directed to the priest Senator and to the abbot of the Hospice of the Franks, he concluded with a threat of loss of dignity and honor to any violator of it." He, who immediately adds two privileges of St. Gregory, in which he threatens kings with the loss of their kingdoms if they should presume to violate those privileges.

Reginald Pole, Cardinal of the Holy Roman Church, in his book On the Supreme Pontiff, chapter 8, says: "From which, what we said a little before can thus be concluded, that the Vicar of Christ, to whom the unique and greatest of all ministries has been committed, namely that which concerns the ultimate end of man, holds the highest and chief power in governing the world and the Church, among all other ministers of God, whether emperors, or kings, or princes, or by whatever other name they are called."

Nicholas Sanders, in book 1 on the Visible Monarchy of the Church, chapter 4, says: "From these things, therefore, which both divine law and the light of nature itself reveals, it is abundantly clear how greatly they err from the truth who think that Christian kings always have supreme power in their kingdoms, and are never so subject to Bishops that when they obstinately sin against the faith, they can be removed from their kingdom." And above: "Therefore the Pontiff will no less strive to remove from the rule of the people a king who imbues the Christian people with false doctrine, than a Pastor strives to remove a badly affected ram from the midst of the flock."

We have, therefore, the doctrine that flourished in the Church before Barclay and I began to dispute. And if St. Augustine, in book 2, last chapter, against Julian, having adduced

the testimonies of eleven Writers, some of whom had lived two hundred years before, some a hundred years before, some in his own time, affirms that in no ecclesiastical council had so many illustrious Writers and Masters ever assembled together; and wonders if Julian, introduced into that assembly, would have dared to open his mouth and resist so many grave and learned men: with how much greater reason can we affirm that in no synod, however numerous, have there ever assembled excellent writers numbering above seventy, some of whom flourished five hundred years ago, and who in different centuries, in different parts of the Christian world, illustrated the Church not only with doctrine, but also with sanctity and miracles? And although I cannot affirm whether Barclay, if introduced into the company of so many distinguished writers, if he were now alive, would consider that he should resist or believe, I do, however, confidently affirm this, that either the books of all those writers, which the Church has used for so many centuries, must be exterminated; or Barclay's pamphlet, as scandalous, rash, seditious, and erroneous, must be given to the avenging flames.

Opinion of Councils on the Power of the Supreme Pontiff in Temporal Matters

But if perhaps some do not give credence to individual witnesses, although very many, and beyond all exception, let us come to witnesses who speak together, and those almost innumerable, who will give testimony against Barclay. Nine hundred years ago, Leo the Isaurian, emperor, was excommunicated by Gregory II, the Roman Pontiff, for the crime of heresy, and punished with the loss of the taxes of Italy, and thereby with part of the empire, as Greek historians Glycas, Theophanes, Cedrenus, and Zonaras testify, in their accounts of Leo the

Isaurian; and Latin historians Sigebert in the year 727, Paul the Deacon in book 21, and Platina in his life of Gregory III. For the Latin authors attribute this deed to Gregory III, since he confirmed the sentence of Gregory II. Moreover, that the sentence of Gregory II was issued in a synod of bishops is testified by John Zonaras, a Greek author, in his life of Leo the Isaurian, whose words from volume 3 of the Annals are these: "Gregory, who then governed the Church of old Rome, bound them, together with the emperor, with a synodical anathema, and stopped the taxes which until that time were paid to the empire from there, having made an alliance with the Franks." And so that entire synod assented to Pope Gregory, and there are as many witnesses to this matter as there were bishops who convened in that synod.

Then, after about three hundred years, when Pope Gregory VII excommunicated Emperor Henry IV, who had been admonished many times, and deprived him of empire and kingdom, he did not do this secretly, and solely by his own judgment, but in the Roman synod, to which very many bishops had convened from all over, with all consenting and approving, publicly, and with a solemn rite and ceremony. Concerning this synod, it is written in book 5 of the Register of Gregory VII that it was held in the year of the Lord 1080, the seventh year of the same Gregory, and that to that synod there convened Archbishops and Bishops, as well as Abbots, and an innumerable multitude of Clerics and Laymen of various orders. To these should be added five other councils held by the successors of Gregory VII, namely: the Council of Benevento by Victor III; the Council of Piacenza by Urban II; the Council of Rome by Paschal II; the Council of Cologne by Gelasius II; the Council of Rheims by Callistus II; in which the sentence of Gregory VII was confirmed. See about these Councils below in chapter 9.

Furthermore, when Pope Urban II excommunicated Philip I, king of the Franks, for repudiating his legitimate wife and accepting an adulteress in marriage, and for refusing to obey when admonished, and deprived him of the crown of the kingdom, he did this in the very well-attended Council of Clermont, as Sigebert testifies in his Chronicle of the year 1095, and Matthew Paris describes the same more clearly in William II at the year 1095. But that by excommunication was understood the deprivation of royal dignity, can be understood from Ivo, Bishop of Chartres, who in letter 28 to Pope Urban II, speaks thus: "Those who are about to come to you, in the craftiness of their small ingenuity and the elegance of their tongue, have promised the king that they will obtain impunity for his crime from the Apostolic See, about to use this reasoning in part, that the king with his kingdom will depart from your obedience, unless you restore the crown to him, and absolve him from anathema." It can also be understood from historians, who testify that it was forbidden by Pope Urban for the royal diadem to be placed on the excommunicated Philip. See the Chronicle of John Nauclerus, Generation 37, Paul Aemilius in book 3, in King 38, Papirius Masson, Annals, book 3. Add also what is written in the Summary, or Compendium of French Histories by Nicolas Vignier, that during the entire time that Philip lived under anathema, in public writings was not put, as was customary, "Philip reigning," but, "Christ reigning"; because indeed the people did not consider an excommunicated king as a king.

Moreover, Pope Innocent III, in the year 1215, convoked the general Lateran Council, which is properly called the greatest: for there were present, with the supreme Pontiff himself, two Eastern Patriarchs in person, the Constantinopolitan and the Jerusalemite, two by Legates, the Alexandrian and the Antiochene: seventy Archbishops, four hundred and twelve

Bishops, eight hundred abbots and conventual priors, legates of the Emperors of the West and East, and of the kings of Jerusalem, France, Spain, England, and Cyprus. In this most famous assembly of the Christian world, therefore, a canon was issued, which is third in order, against heretics, in these words: "We excommunicate and anathematize every heresy that raises itself against this holy, orthodox, Catholic faith, which we have set forth above, etc." And further: "If indeed a temporal lord, admonished by the Church, should neglect to cleanse his land from heretical filth, let him be bound with the chain of excommunication by the Metropolitan and the co-provincial Bishops. And if he should despise to give satisfaction within a year, let this be signified to the supreme Pontiff, so that from that time he may declare his vassals absolved from fealty to him, and may expose the land to be occupied by Catholics, who, having exterminated the heretics, may possess it without any contradiction, and preserve it in the purity of faith, saving the right of the principal lord, provided that he himself places no obstacle in this matter, nor opposes any impediment; the same law nevertheless being observed regarding those who do not have principal lords." What would Barclay say here? If this is not the voice of the Catholic Church, where, I ask, shall we find it? And if it is (as it most truly is), will not one who despises to hear it, as Barclay did, be considered as a heathen and a publican, and in no way Christian and pious? If the supreme Pontiff does not have power on earth to dispose of temporal matters, even to the deposition of princes, of those who either are themselves heretics or in some way favor heretics, did no one from such a great number protest at the issuing of this canon? Why did not even one from so many orators of emperors and kings dare to mutter? Evidently parasites of temporal princes had not yet arisen, who,

that they might seem to stabilize temporal kingdoms, take away the eternal kingdom from those whom they flatter.

But let us add also the Council of Lyon. Therefore, Pope Innocent IV, in the year of salvation 1245, celebrated a general council at Lyon, in which, besides Archbishops summoned from all over, Baldwin, Emperor of the East, with many other princes, was also present. Saint Louis, king of the Franks, also was at Lyon at that time, and was present with the Pontiff, as Aemilius and Nauclerus testify. And in that assembly, which undoubtedly represented the universal Church, a sentence was issued against Emperor Frederick II in these words: "We, therefore, on the aforementioned matters, and many other of his wicked excesses, having had diligent deliberation with our brothers and the holy council, since we, though unworthy, hold the place of Jesus Christ on earth, and to us in the person of blessed Peter it was said: 'Whatsoever thou shalt bind on earth, shall be bound also in heaven,' show and declare the aforementioned prince, who has rendered himself unworthy of empire and kingdoms, and all honor and dignity, and who, because of his iniquities, has been cast out by God, so that he should neither reign nor command, bound by his sins, and cast out, and deprived of all honor and dignity by the Lord; and nevertheless by sentencing, we deprive him; absolving forever from the oath of fealty all who are bound to him by such oath, firmly forbidding by Apostolic authority that anyone henceforth should obey him as emperor or king, or show regard for him; decreeing that whoever shall henceforth provide counsel, or help, or favor to him as to an emperor or king, shall thereby be subject to the sentence of excommunication. Let those, however, to whom the election of an emperor in the same empire pertains, freely elect a successor. Concerning the aforesaid kingdom of Sicily, we shall take care to provide, with the counsel of our said brothers, as we shall see

expedient." This is the sentence of the supreme Pontiff with the whole council approving, that is, with the whole universality of Christian prelates consenting and praising: and yet someone, I know not who, dares to dispute against it, and to publish his book, and to bewitch the eyes of the inexperienced. But if individual councils of the Catholic Church, especially when the Supreme Pontiff presides in them, provide the fullest credibility, so that it is not permissible for anyone to think otherwise: how great a rashness would it be, if someone should dare to contradict ten most well-attended councils, joined together? For even if these councils have been held in different places and times, yet they can easily be placed all together before the eyes of the mind, and from all of them one greatest and most numerous can be made, where there can be seen together Gregory VII, Victor III, Urban II, Paschal II, Gelasius II, Callixtus II, Innocent III, and Innocent IV, all most holy and learned Pontiffs, exercising apostolic power, excommunicating heretical kings, or patrons of heretics, and deposing them from the throne of the kingdom; and at the same time all the prelates of the Churches, with the Legates of almost all princes, approving and praising the sentences of such great Pontiffs, as most just. Certainly, if Barclay, or whoever is like him, were introduced into such an assembly, it is a wonder if he would dare to speak, indeed if he would not immediately become mute. Saint Augustine, in book 1 against Julian, chapter 2, believed that the Palestinian council of fourteen Bishops would be of sufficient authority to suppress the audacity of one Julian; why, therefore, should not, much more, Bishops above a thousand, who convened in ten councils, prevail to condemn the rashness of one Barclay? Therefore, this opinion of the Catholic Church, which I had briefly touched upon in my Disputations on the supreme Pontiff, when I was still young, I am now compelled, as an old man, to defend against William Barclay: a labor which I

would never have suspected would be brought upon me by a man who professes himself to be Catholic. For I do not concern myself with those who are outside, and who constantly write against me.

The English Translation

This translation of St. Robert Bellarmine's On the Power of the Supreme Pontiff in Temporal Matters Against Barclay (*De Potestate Summi Pontificis in Rebus Temporalibus, contra Barclaium*), based on the Opera Omnia, vol. XII, Vives edition (Paris: Louis Vivès, 1874), aims to render his theological, juridical, and historical argumentation in modern academic English without sacrificing technical precision. It was prepared with the assistance of GPT-5 Pro under human editorial oversight; computational drafting supported consistency of terminology, while human review governed all interpretive decisions.

Scope and limits: this version is a scholarly aid, not a substitute for the Latin. It seeks clarity without flattening Bellarmine's scholastic register—controversialist, pastoral, and juridical in turn. For critical citation, textual judgments, or contentious points, readers should consult the Latin text of the Vives edition (or a modern critical edition) as the final authority; citations within the text may be incorrect due to poor quality of of digital scan used as the foundation for this translation.

CHAPTER ONE
ON BARCLAY'S EXCUSE

1. With these prolegomena, as it were, having been set forth, I come to Barclay's book. In the first chapter, he is wholly engaged in excusing and defending himself for having written what he wrote in this question regarding the power of the Pope. And first, he proves that it was permissible for him to state his opinion, because many other Catholics have done so.

2. "If several," he says, "both theologians and jurists, have one after another devoted themselves to examining this same question, and the judgment of earlier writers on it has not prejudiced the opinions of subsequent authors, why should I not also claim for myself, by my own right, as it were, some place in the investigation of truth (since I have spent my life in this pursuit)?"

3. But how significant this reasoning is can be understood even from the fact that he did not persuade even his own heir or particular friend. For why did his heir, or whoever it was who published his book, who certainly was a very close friend, think that both his own name and that of the printer and the place in which the book was published should be shrouded in silence, unless because he judged, not without cause, that the author was

not permitted to write with impunity what he wrote? For otherwise the errors of all heretics could be excused.

4. Therefore, it was permissible for Catholic writers, who agree on the substance, to dispute about the manner; it was not permissible for Barclay to deny completely the power of the supreme Pontiff in temporal matters against all other writers, and against the opinion of even the general councils. Just as it was and is permissible for scholastic doctors, who confess in God the unity of essence with the trinity of persons, to dispute many things about the attributes of the divine essence and the constitution of the persons; but it was not permissible for the Arians, both ancient and modern, to multiply the essences of God in their writings, or to confuse the Trinity.

5. By the same reasoning, it was and is permissible for Catholic doctors, who agree on the substance of the seven sacraments, to dispute about many things that do not pertain to the foundations of faith; nevertheless, it is not and was not permissible for the Lutheran and Calvinist sectarians to write so many things against the substance and number of the sacraments, which can be said about other dogmas of faith.

6. Barclay adds: "The reader should be advised first of all that I regard that See with all reverence and goodwill, and that I am not trying, either here or elsewhere, to diminish any of the due power and dignity of the Vicar of Christ and the successor of the holy Apostles Peter and Paul."

7. But this seems to be similar to what St. Mark writes in chapter 15: "They struck his head with a reed, and bending their knees, they adored him," and what St. John writes in chapter 19: "They came to him, and said: Hail, King of the Jews, and they gave him blows." For so Barclay pursues the Apostolic See with all reverence and goodwill, but meanwhile nearly halves its power.

8. And he adds afterward: "Therefore I beseech those who have written before me with good intention, as I believe, not to be indignant or angry if I depart from their opinion: for (to speak with St. Augustine, Letter 111) we should not regard the disputations of any writers, however Catholic and praiseworthy they may be, as if they were canonical Scriptures, etc."

9. But I am not indignant, nor angry, that either Barclay or anyone else has departed from my opinion; however, I cannot bear with equanimity that anyone departs from the common opinion of Writers in such a serious matter, indeed even from the sense and consensus of universal councils. And although we should not give to the books of doctors, however Catholic and praiseworthy they may be, that reverence which we owe to the Holy Scriptures, nevertheless it cannot be denied that much deference should indeed be given to the common opinion of writers, so that one who strives through writing against the torrent of doctors, as it is commonly said, cannot be excused from rashness.

10. For that same St. Augustine, who had written that the disputations of any men should in no way be equated with the authority of divine Scriptures, argues against the rashness of Julian, who dared to set himself against eleven Catholic writers, whose words and opinions he carefully weighs in book 1, chapter 2, and book 1, final chapter, against Julian.

11. Then Barclay, coming closer to the matter, reports two opinions of Catholics. The first, which most Canonists follow, is that in the supreme Pontiff resides both powers, spiritual and temporal, as he is the Vicar of Christ. The second, which is generally common among theologians, is that the power of the supreme Pontiff, as he is the Vicar of Christ, is properly and in itself spiritual, but nevertheless through it he can dispose of temporal matters, insofar as they are ordered to spiritual things.

Then he proposes his own opinion, for which he cites no Catholic writer, as follows:

12. "But to me," he says, "neither of these opinions, as far as temporal power is concerned, has seemed sufficiently firm"; and a little further on: "Those theologians, therefore, most properly refute the opinion of the Canonists, but with their peace I will say, they themselves do not think better."

13. These are his words, which reveal clearly enough that, like another Ishmael, he has pitched his tent opposite all his brothers, so that his hand might be against all, Genesis 16.

14. He spends the entire last part of the first chapter in refuting, or rather ridiculing, Bozius, who, though professing himself a theologian, preferred to adhere to the opinion of the Canonists. About this matter I have nothing to say: for I have decided neither to refute nor to defend Bozius's opinion; but only to defend that in which all Catholics agree, and in which we all differ from Barclay, and to protect myself from the objections of the same Barclay.

CHAPTER TWO

AN EXAMINATION OF THE PRINCIPLES OR FOUNDATIONS OF BARCLAY'S DOCTRINE

1. In the second chapter, Barclay begins to lay the foundations of his doctrine. One of these, and perhaps the primary one, is that ecclesiastical and political power are by divine law distinct and separate, so that, although both come from God, each is confined within its own boundaries and cannot rightfully invade the domain of the other, and neither has authority over the other. To prove this principle, he cites Canon "Duo sunt" and "Cum ad verum," distinction 96, chapter "Novit," regarding Judgments, chapter "Per venerabilem," "Who are legitimate children," Saint Bernard in book 1 of "De Consideratione," John Driedo in book 2 of "De Libertate Christiana," chapter 2, and Hosius, Bishop of Corduba, cited by Athanasius in his letter to those living the solitary life. However, we contend that this principle or foundation is entirely false in its final part, namely in those last words: "Neither has authority over the other." For we affirm that ecclesiastical power, while indeed distinct from political power, is not only far more noble, but also so superior that it can direct and correct the political power, and in certain cases, namely in matters pertaining to the spiritual end and eternal life, can even command it.

2. Nor is that final clause, namely: "Neither has authority over the other," found in the testimonies cited, whether from the canons or from the doctors. In the canon "Duo sunt," which is taken from the letter of Pope Gelasius I to Emperor Anastasius, these words are found: "There are indeed two things, August Emperor, by which this world is principally ruled: the sacred authority of the Pontiffs and the royal power. In these matters, the burden upon the priests is all the heavier as they will have to render an account in the divine judgment even for the rulers of men," and further: "You know, therefore, that you depend upon their judgment, not that they can be reduced to your will."

3. Here, not only is what Barclay says not found, that "neither has authority over the other," but the exact opposite is stated: for if the Pontiff must render an account to God for the governance of men, he certainly ought to direct that governance, and if it should deviate, correct it and bring it back to the right path. How can he direct and correct human governance if he has no authority over it? Similarly, in the canon "Cum ad verum," which is taken from the letter of Pope Nicholas I to Emperor Michael, those words "Neither has authority over the other" are not found. For these are the words of Pope Nicholas: "When it comes to the truth, the emperor does not claim for himself the rights of the pontificate, nor does the Pontiff usurp the name of emperor, since Christ Jesus, the mediator between God and humanity, has separated the offices of both powers by their own proper activities and distinct dignities." Here too, it is not indicated by any word that neither power has authority over the other, but only that they are distinct in their activities, dignities, and offices. And since the same Nicholas, shortly afterward, adds that Christian emperors need the ministry of Pontiffs for eternal life, and conversely, that Pontiffs use imperial laws only for the course of temporal life, it is most clearly indicated that the end of

pontifical power is superior to the end of political power, and accordingly, that the power of Pontiffs has authority over political power, insofar as it is necessary that political power not impede the attainment of eternal life, to which it must be directed by pontifical power.

4. Likewise, in chapter "Novit," on judgment, and in chapter "Per venerabilem," "Who are legitimate children," which are from Pope Innocent III, there is absolutely nothing from which it could be gathered that political power is not subject to spiritual or ecclesiastical power. Otherwise, the same Pontiff would not have decreed in the general Lateran Council, chapter 3, that secular princes could be deprived of their principality by the Apostolic See if they were negligent in purging their lands of heretical corruption and, having been admonished by the Bishops, did not obey. Nor would the same Pope have deposed Emperor Otto IV if he had thought that ecclesiastical power had no authority over political power. Saint Bernard, too, in book 1 of "De Consideratione," indeed says that the power of the Pontiff is over sins and is spiritual; but the same Saint Bernard in book 4 of "De Consideratione," chapter 4, says that both swords, the spiritual and the material, belong to the Church—which he certainly would not say unless he believed that the material sword was subject to the spiritual sword.

5. Furthermore, regarding the opinion of John Driedo, there can be no doubt: for he says that the political power ought to be so subject to the ecclesiastical that the Pontiff can, in certain cases, in order to secure eternal life, deprive kings and princes of their kingdoms and domains, as we have indicated above in his own quoted words. Finally, the words of Bishop Hosius of Corduba, commemorated by St. Athanasius, demonstrate the distinction of the offices of both powers, but they do not demonstrate equality: "To you," he says, "God has committed the

empire, to us what belongs to the Church, and just as he who looks upon your empire with malicious eyes contradicts the divine ordinance, so you also beware lest by drawing to yourself what belongs to the Church, you become liable to great guilt. 'Give,' it is written, 'what is Caesar's to Caesar, and what is God's to God.' Therefore, it is neither lawful for us to hold dominion on earth, nor do you, Emperor, have authority over incense and sacred things." Thus he speaks, who does not contradict St. Gregory Nazianzen, who in his oration to the people struck with fear and to the angry governor most clearly teaches that ecclesiastical power is related to political power as the soul is to the body; and that the soul presides over the body, governs it, and commands it, no one has ever called into doubt.

6. Barclay then proceeds and attacks Bozius, refuting his responses and disputations, which I leave entirely to Bozius himself; for I have not undertaken to defend anything except that which touches the common cause or my own particular one. Such is what Barclay says at the end of the chapter, that one power cannot be subordinated and subject to another unless the dignity and office that is in the subordinate is also in the one to whom it is subordinated. For the subjection and subordination of political power to ecclesiastical power is taught by all Catholics, but not all of us admit what Barclay infers from this: for this subordination can be understood in two ways. In one way, the power that is in the subordinate is derived from the one to whom it is subordinated, such as the power of a Vicar, which is derived from the one whose Vicar he is, and of a legate, which is derived from the prince who sent him, and of a judge or governor, which is derived from the king. And then, without doubt, the power of the one who subordinates includes the power of the subordinate. In another way, one is not derived from the other but is subject and subordinate to the other only because the end of one is

subject and subordinate to the end of the other, such as the subordination and subjection of various arts to the art of ruling peoples, which can be called the royal art.

7. For the poet truly said: "Others will fashion breathing bronzes more softly (I believe indeed they will draw living faces from marble), will plead cases better, and will trace the movements of the heavens with a rod and tell the rising stars. You, Roman, remember to rule the peoples with authority. These will be your arts." For the art of ruling peoples is distinct from the arts of sculpture, oratory, astronomy, and other similar ones, and one is not derived from the other, nor does one properly include the other; and yet all are subordinated and subject to the art of ruling peoples, so that the king can direct all of them to the common utility of the people and, unless they obey, can remove any craftsmen from his kingdom or replace them with others, because the ends of the other arts are subject and subordinated to the end of the royal art.

8. Now, therefore, if the subjection and subordination of political power to ecclesiastical power is understood in the former way, it follows indeed that political power is joined to the ecclesiastical; and I do not see how this does not contradict the words of Gelasius, Nicholas, and Innocent, the Supreme Pontiffs, as well as Hosius, Bernard, and Driedo. But if it is understood in the latter way, as we understand it, then Barclay's reasoning and examples conclude nothing at all. For just as the royal art does not include the art of sculpture, nor is the art of sculpture derived from the royal art, and yet the royal art commands the art of sculpture and has it subject and subordinate, and the king can and should command the sculptor not to sculpt obscene statues, lest youth be corrupted, nor from gold or silver, so that these metals may be preserved for more necessary use, nor to sell his statues at too high a price, to curb avarice; so the ecclesiastical art

of governing souls, which is the art of arts and resides chiefly in the Pope, does not necessarily include the royal art, nor is it necessary that all kingdoms be derived from the Church. And yet, because its end is eternal life, to which all other ends are subordinated, the political art of ruling peoples is subject and subordinated to it, and the Supreme Pontiff can and should command kings not to abuse royal power to overthrow the Church, to foster heresies and schisms, and finally to the eternal destruction of their own souls and those of the peoples subject to them. And if they do not obey when they have been admonished, he can expel them from the Church by the censure of excommunication and absolve the people from the oath of fidelity, and finally even strip them of their kingdom and deprive them of royal power.

CHAPTER THREE

THAT THE POWER OF THE SUPREME PONTIFF IN TEMPORAL MATTERS IS NOT A DOUBTFUL MATTER, NOR DOES IT DEPEND SOLELY ON THE OPINIONS OF SCHOLARS

1. In the third chapter, Barclay contends that there is nothing certain about the power of the Supreme Pontiff in temporal matters, but that the whole matter is freely disputed among theologians and canonists. "The great disagreement," he says, "among theologians and canonists, and among one another, on this matter, while these assert a direct power and others an indirect power, makes this question about the temporal power of the Pope appear doubtful and uncertain, and entirely dependent on human opinion. Therefore, the truth of its solution must be investigated by the light of reason and subtlety of discussion." Thus he speaks.

2. But there is a great difference between the question of whether something exists, and what it is, or how it is. Even the pagans did not usually call into doubt the existence of God; nevertheless, there were many opinions among philosophers about the nature of the gods. No Catholic denies, but all hold with the firmest faith, that God is triune and one; and yet, how

many opinions are there among scholastic theologians about the constitution of the persons, about relations, about notions? So, therefore, regarding power in temporal matters, that it exists in the Pope is not a matter of opinion, but of certainty among Catholics, although there may be disputes about what and what kind of power it is, that is, whether it is per se and properly temporal, or rather whether it is itself spiritual, but by some necessary consequence, and in relation to spiritual matters, disposes of temporal affairs. Therefore, Barclay does not correctly infer when he reasons as follows:

"There is a disagreement among theologians and canonists, while these assert a direct power and those an indirect power; therefore, the question about the temporal power of the Pope is doubtful and uncertain, and entirely dependent on human opinion."

3. Moreover, that it is a certain and established matter that the Supreme Pontiff can, for just causes, judge concerning temporal affairs, and even depose temporal princes themselves, we prove: (1) First, from the common consensus of the writers whose words we brought forward at the beginning of this disputation: for what doctors teach by common consensus in various places and times is considered to be the sentiment and teaching of the universal Church. For this reason, God placed pastors and teachers in the Church, as it is said in Ephesians 4, so that the people might follow them as guides and not depart from them, unless perhaps they see someone introducing something new against the common doctrine, as Barclay has done in this time. (2) Secondly, we prove it through the Extravagant, "Unam Sanctam," on majority and obedience, where we are taught that the sword is under the sword, and that temporal authority is subject to spiritual power; and that if earthly power deviates, it will be judged by spiritual power; if the lesser spiritual power

deviates, by its superior; but if the supreme [spiritual power deviates], it can be judged by God alone. Nor does it matter that the definition of this decretal seems to have been revoked by Clement V in the Extravagant, "Meruit," on privileges. For Clement V did not revoke Boniface's Extravagant, but declared the ancient obligation that people have to obey and be subject to the Apostolic See. (3) Thirdly, we prove it from the councils cited above, the last two of which were general: for how can that which general, catholic, and legitimate councils approve be called into doubt and depend solely on human opinion? That temporal princes can be deposed by the Supreme Pontiff when the necessity of the Church demands it, and therefore that the temporal power of princes is subject and subordinate to the spiritual power of pontiffs, those ten councils, and especially the last two, the Lateran and the Lyon, most clearly teach. (4) Fourthly, we prove it from the divine Scriptures, just as Gregory VII proves it in epistle 21 of the eighth book. For in the Scriptures and tradition, we find most clearly established the ecclesiastical primacy of the Roman Pontiff, in which primacy is contained the most ample power of ruling, binding, and loosing whomsoever, even kings and emperors, which neither Barclay nor any Catholic denies. From this principle, it is quite clearly inferred that there is in the Roman Pontiff the power of disposing of temporal matters, even to the deposition of kings and emperors themselves. For through his spiritual power itself, the Supreme Pontiff can bind secular princes with the bond of excommunication; through the same power, he can release peoples from the oath of fidelity and obedience; he can obligate these same peoples, under pain of excommunication, not to obey an excommunicated king, and to elect another king for themselves. Moreover, since the end of spiritual governance is the attainment of eternal life, which is the supreme and ultimate end, to which all other ends are

subordinated, certainly it is necessary that all secular power be subject and subordinate to the spiritual power of the supreme ecclesiastical hierarch, whom he should direct, and if it deviates, correct and judge, and finally ensure that it does not impede the salvation of the Christian people. And this is the reason why both Gregory VII and Innocent IV, in the deposition of emperors, in order to show that they did this lawfully, cited the words of the Lord: "Whatever you bind on earth will be bound in heaven," and "Whatever you loose on earth will be loosed in heaven" (Matt. 16), and "Feed my sheep" (John 21), namely to signify that their power to dispose of temporal matters, when the salvation of souls, the safety of religion, and the preservation of the Church requires it, does not depend on uncertain human opinions, but on the divine ordinance of Christ, the eternal King and Supreme Pontiff, who is God over all, blessed forever, according to the Apostle in Romans 9. But let us see what Barclay objects against these things.

1. His first argument is this: It is absurd and unjust to say that pagan princes were received into the Church under a harsher and worse condition than private individuals, or that the Pope now has greater power over Christian political princes than St. Peter and the other Apostles once had over any private person who was a child of the Church. But the latter had no right and temporal power at that time over Christian laypeople; therefore, neither does the Pope now have any temporal power over secular princes.

I respond: The minor premise of the argument is false and entirely contrary to the holy Scriptures. For first, the Apostles had the right to receive from the temporal goods of the laity. The Apostle proves this in 1 Corinthians 9, saying: "If we have sown spiritual things among you, is it a great matter if we reap your carnal things? If others are partakers of this power over you, are not we rather? Nevertheless, we have not used this power, but we

bear all things, lest we should hinder the gospel of Christ. Do you not know that they who work in the temple eat the things that are of the temple, and they that serve the altar partake with the altar? So also the Lord ordained that they who preach the gospel should live by the gospel." Secondly, the Apostles could command Christians to appoint Christian judges in civil cases, and not to go to the judgments of gentile magistrates. For thus the Apostle commands in 1 Corinthians 6, saying: "Dare any of you, having a matter against another, go to be judged before the unjust, and not before the saints? Do you not know that the saints shall judge angels? How much more things of this world? If therefore you have judgments of things pertaining to this world, set them to judge who are the least esteemed in the church." Therefore, if the Apostles could ordain judgments in civil cases and command the laity to support the ministers of the Gospel with their resources, how did they have no right over the temporal goods of the laity?

2. But Barclay says: "It is more certain than certain that ecclesiastical power was entirely separate from political power in the time of the Apostles, and that the latter was entirely in the hands of pagan princes outside the Church, so much so that the Apostles themselves were under the temporal power of the pagans; and Albert Pighius, and Robert Bellarmine, and other distinguished theologians frankly admit this."

I respond: Ecclesiastical power is separate from political power even now: for the power of pontiffs and kings is not the same, but different. But because, as we said above, ecclesiastical power, which is spiritual, is superior to political temporal power, and should direct it to the supreme end of eternal life, therefore it can, in relation to spiritual matters, dispose of temporal goods. It is true that in the Apostles' time, political power, not of any kind, but royal or imperial, was entirely in the hands of the pagans, because there were then no Christian kings or emperors. But

from this, nothing else follows except that ecclesiastical power at that time did not have ready execution, especially in temporal matters, as it has at this time. As for the Apostles themselves being under the temporal power of pagan princes, I once wrote this with Albert Pighius and some others, but later, reviewing and examining my books more diligently, I considered that the Apostles were subject to those princes in fact, not by right, as I stated in my "Recognition."

3. But Barclay says: "Christ did not come to destroy the law, but to fulfill it, nor to take away the rights of nature and nations, or to exclude anyone from the temporal dominion of their possessions. Therefore, just as kings ruled their subjects with political power before Him, so also after He came and then ascended to heaven from us, the Apostolic doctrine confirmed that same power, leaving it in no way weakened. If, therefore, Peter and the other Apostles, before they followed Christ, were subject to the dominion and jurisdiction of pagan princes, which cannot be denied, and the Lord did not explicitly and by name free them from the obligation of the law, it necessarily follows that we remained under the same yoke, even after the Apostolate."

I respond: Christ did not come to destroy the law, but to fulfill it; therefore, He did not take away the rights of nations and nature, but perfected them; He did not deprive kings and princes of dominion or jurisdiction, but ordered their jurisdiction and dominion. For even in the Church itself, there are kings and princes endowed with no less political power than pagans were. This alone was added, that He set over them a great Shepherd, who would act in His place on earth, by whom they would be directed if they should happen to stray from the way that leads to the kingdom of heaven. This benefit of God should be acknowledged among the most important by all the faithful, but

by none more than kings and princes, who, the higher their position, the more they are liable to a more serious fall, and therefore need all the more a Bishop and Shepherd of their souls, as Cardinal Reginald Pole elegantly and copiously admonished in his dialogue on the Supreme Pontiff. But that Christ did not free Peter and the Apostles, by name and expressly, from the obligation by which they were bound to pagan princes, seems entirely to contradict the Gospel. For in Matthew 17, Christ paid the didrachma for Himself and Peter to avoid scandal, for otherwise He showed that neither He nor Peter were obligated to pay that tax by these words: "From whom do the kings of the earth receive tribute or custom? from their own children, or from strangers?" And when Peter answered, "From strangers," Jesus said to him: "Then the children are free." By these words, He declared that He, being the Son of the King of all kings, was immune from all tribute and tax. And since when the king's son is immune, his household also is considered immune, therefore Peter and the Apostles, who belonged to Christ's household by His benefit, should also have been immune. But we have written more copiously about this matter elsewhere.

4. But Barclay does not rest, for he adds: "But that they remained subject to princes like other citizens appears from their doctrine and actions: for they cannot be reproached with what Christ reproached the Scribes and Pharisees, that they did one thing and taught another. They taught that the subjection and obedience of which we speak should be shown by Christians to kings and princes: for this reason, Paul himself appealed to Caesar, and commanded all Christians to be subject to the temporal power of the pagans, not only because of wrath, but also because of conscience."

I respond: The Apostles were undoubtedly not like the Pharisees, who taught one thing and did another; nor were they

therefore subject by right, like other citizens, to temporal powers, since they themselves were established by God as princes over all the earth, as we read in Psalm 44. For although that principality was spiritual, not temporal, nevertheless it was a true principality, and far nobler than the temporal principality. Moreover, St. Paul appealed to Caesar as to a judge over the governor of Judea and the Hebrews, who were unjustly oppressing him; otherwise, that case, which was spiritual, namely about the Resurrection of Christ and the ceremonies of the Mosaic law, could not rightfully belong to a pagan prince. See Acts 21, 22, 23, 24, 25, and 26. The same Paul, in Romans 13, delivered a universal doctrine about the obedience of inferiors to superiors, when he said: "Let every soul be subject to higher powers," which doctrine he then applied in particular to the obedience that subjects owe to temporal princes; and finally concludes: "Render therefore to all their dues: tribute to whom tribute is due; custom to whom custom; fear to whom fear; honor to whom honor." Therefore, if someone proves that he is not by right subject to some power, he will not be bound by this Apostolic sentence, even if perhaps in fact, or to avoid scandal, he must be subject.

5. Barclay adds: "For what some say, that St. Paul is not speaking there about the temporal power of secular princes, but about power in general, that each one should obey his superior, the layman the layman, the ecclesiastic the ecclesiastic, is mere caviling, and a response unworthy of learned men and theologians: for at that time, no other power than political and temporal was commonly recognized by men."

I respond: In the words of the Apostle, as we said just now, some statements are general, some particular. For who can deny that this is a general statement: "Let every soul be subject to higher powers"? Likewise this one: "There is no power but from God"? and this one: "He who resists power, resists the ordinance

of God"? But the Apostle, adding: "For princes are not a terror to good works, but to evil," and below: "If you do that which is evil, fear, for he does not bear the sword in vain," seems to have wanted to understand by higher powers, political princes. That's right, by higher powers, he wanted political princes to be understood, but not only them. For the Apostle preferred to frame and present his doctrine in general terms, so that it might benefit more people. Hence elsewhere he admonishes that children obey parents, wives husbands, servants masters, and people their ecclesiastical superiors. For what Barclay says, that no power other than political and temporal was then commonly recognized by men, is a statement entirely unworthy of a learned man and a jurist. For paternal power, the power of masters, marital power, the power of teachers over disciples, and finally ecclesiastical power were always very well known; all these powers are most clearly distinguished from political power (if we wish to speak properly). And regarding ecclesiastical power, does not the same Apostle mention it very frequently? Certainly he speaks thus in 2 Corinthians 10: "For even if I should boast somewhat more of our power, which the Lord has given us for edification, and not for your destruction, I should not be ashamed," and in chapter 13: "I write these things being absent, that being present I may not deal more severely, according to the power which the Lord has given me," and to the Hebrews 13: "Obey those who have the rule over you, and be subject to them."

6. Barclay adds the testimony of St. Augustine, in his exposition of certain propositions from the Epistle to the Romans. From this testimony, Barclay infers, first, that the profession of the Christian Religion does not exempt anyone from subjection to temporal power. Second, that the Apostles, and St. Peter himself, were subject to the pagan magistrate. Third, that it was not lawful for those first Christians to defect from the

rule of pagan princes and appoint other princes for themselves, even if they had had sufficient strength to accomplish it. Fourth, that Augustine understood the words of the Apostle as referring to temporal power only. Fifth, that Augustine includes himself in the number of those whom the Apostle commands must be subject to temporal powers. From this it follows that even Bishops and all Clerics must be subject to the same temporal powers. Sixth, that there is a twofold duty of subjects: one, to obey the king when he commands nothing against God; the other, not to obey the king when God commands the contrary.

I respond: St. Augustine truly teaches that the profession of the Christian Religion does not exempt anyone from subjection to temporal power, and he correctly infers this from the words of the Apostle, nor do we contradict this. But it does not follow from this that St. Peter and the other Apostles were subject by right to temporal powers; nor does St. Augustine say this. For even if profession of the Christian Religion did not exempt the Apostles from that subjection, the apostolic Principality, which is higher than all temporal Principality, did exempt them. But whether it was lawful for Christians to defect from pagan emperors, we shall discuss below in its proper place. Meanwhile, we only say that this is not inferred from the words of Augustine or the Apostle. For St. Augustine teaches from the Apostle that Christians owe obedience to temporal princes, namely while they command with authority, but not if they fall from their principality. But whether it was lawful for Christians to abrogate the empire from the pagans, neither the Apostle nor Augustine defines in this place. Furthermore, it is false that St. Augustine understands this passage of the Apostle as referring to temporal power only. For the word "only" is found neither in Augustine nor in the Apostle, and we have St. John Chrysostom with Theodoret and Theophylact, who expound it as referring to

power in general, and St. Anselm, who expounds it as referring to ecclesiastical and temporal power, and St. Bernard, epistles 42 and 183, who also expounds it as referring to both. But that St. Augustine numbers himself among those who are commanded to obey temporal powers does not force us to infer from this that Bishops and Clerics are not exempt from secular power. For when he says: "Since we consist of soul and body, as long as we are in this temporal life, we must also use temporal things as aids for living this life, it is necessary that we be subject to powers, that is, to men administering human affairs with some honor, from that part which pertains to this life," he shows that all men need laws and political magistrates, without which this life cannot be led tranquilly. Similarly, Pope Nicholas also, in his epistle to Michael, writes that pontiffs themselves use imperial laws for the course of temporal affairs. For all must observe such laws, but not all by the force of the laws themselves; some by the force of the laws, some by the force of reason.

7. Barclay continues and says: What can be said to be more undignified and unjust than that Princes professing the Christian faith should be pressed with a heavier yoke than individual private citizens? Yet when private individuals came under the spiritual authority of the Church, they lost nothing of their patrimony or temporal rights, except for those things which they had voluntarily offered, as is clear from the Acts of the Apostles. Similarly, therefore, Princes, when they gave their name to Christ, retained their temporal right—I mean their imperial authority and political power—intact and untouched.

I respond: Private individuals, when they are admitted into the Church, do not indeed lose their patrimony or other temporal rights. Nevertheless, they can be compelled by the Church to support their parish priests and, as the Apostle says, to allow those who sow spiritual things to reap material things—

obligations to which they were not bound before accepting the faith. Moreover, as punishment for various crimes, they can not only be compelled in the internal forum by confessors to redeem their sins through almsgiving, but also be penalized in the external forum by bishops with monetary fines, or even be committed to prison, as is clearly shown in the Council of Trent, session 25, chapter 3. In a similar manner, temporal princes, when they come to Christ's household, neither lose their principality nor their jurisdiction; but they are made subject to him whom Christ appointed over His household, so that they may be ruled and directed by him in the path that leads to life.

8. Barclay adds: It does not help the opponents' cause to say that the Apostles did not have temporal power over the princes of their time because they had not yet become Christians, according to the statement, "For what have I to do with judging those who are outside?" (1 Corinthians 5). The Pope, however, now has that power because they have become Christians and children of the Church, of which he is the supreme Prince and head on earth, and the Father of all Christians; and the right order of nature and reason demands that a son be subject to his father, not a father to his son. This argument, I say, is so entirely without merit that it is surprising that learned men have given it any consideration. For that spiritual subjection, by which princes have become children of the Pope, is completely distinct and separate from temporal subjection, so that one does not follow from the other. But just as a governor or consul, while holding office, can give himself in adoption to another and thus pass into the family and under the paternal authority of his adoptive father, yet through this legal act he transfers neither the consular fasces nor anything else pertaining to him by right of magistracy to his adopter.

I respond: It is remarkable how easily Barclay pronounces judgment on the writings of learned men, when his own

responses and analogies could be rightfully criticized as being so worthless that it is scarcely credible they could have satisfied their own author. Indeed, the analogy of the adoptive son, on which his entire response rests, is completely irrelevant to the matter. The power of a governor or consul and the power of a father are not only distinct and separate, but the latter is also inferior to the former. If a father abuses his paternal authority, he can be corrected by a governor or consul, and even more so by a king or prince, and in certain cases can be deprived of his authority. Conversely, if a governor, consul, or prince abuses his political power, he cannot be imperiously corrected by an adoptive or even natural father, and much less can he be deprived of his authority. Now the power of the Supreme Pontiff is spiritual and supernatural, and more sublime and greater than royal temporal and earthly power. It should not have been compared with the human power of an adoptive father over a son who is a governor or consul—that is, with a lower power over a higher—but rather with the power of a prince or governor over the paternal authority of private citizens, that is, with a higher power over a lower one. From this it follows that although the powers of Pope and king are distinct and separate, and one does not necessarily follow from the other, nevertheless, when they are found in the same body of the Church, the power of the Pope is so eminent that it ought to direct and correct the royal power, not be directed or corrected by it. Thus, Barclay's entire deception lies in his assumption that the spiritual and supernatural fatherhood of the Supreme Pontiff over Christian kings and princes is no more sublime than the human and civil fatherhood of a private man over an adopted son—which is a manifest and childish hallucination.

9. To this is added, says Barclay, that when the Christian Republic was most flourishing—both in the multitude of

believers, the sanctity of Pontiffs, and the erudition and examples of Doctors—and meanwhile was being vexed and tossed about by evil Christian Princes, no declaration about this Principality and temporal jurisdiction over secular Princes was made, not only no explicit and manifest one, but not even the slightest mention.

I respond: I could ask Barclay why it was that in the Old Testament, so many centuries passed before a Pontiff ordered a king to be deposed and another substituted—which happened when the Pontiff Jehoiada not only ordered Queen Athaliah to be deposed but also killed, and substituted Joash as king (4 Kings 11). Likewise, after the division of Solomon's kingdom into the kingdom of Israel and the kingdom of Judah, when among the kings of Israel there was not one pious king, but all were impious and idolatrous, why after tolerating many of them did the Prophet of the Lord anoint Jehu as king and order him to kill King Joram, to whom he had sworn fidelity? This he immediately did and was praised by God, as we have in 4 Kings 9 and 10. He would probably respond that it so pleased God, whose judgments are inscrutable. In the same way, therefore, the Church, which is guided by the Spirit of God, does not always exert its power, but does so according to place and time, as it is admonished and led by the Spirit of Christ. Indeed, during the first three hundred years, the Christian Church did not have Christian kings, except very few, such as Lucius in Britain and Donald in Scotland, who, being pious, gave no cause for the Church to exercise its power over them. Later, there followed kings who were either very pious and religious, such as Constantine the Great, his son Constans, Jovian, Valentinian, Gratian, Theodosius, Honorius, and others; or very impious and blasphemous, such as Constantius, Julian, Valens, Theodoric, Totila, Genseric, Huneric, and others. Towards the former, the Church had to show benevolence, not severity; towards the latter, since they were very powerful,

showing severity would have been of no benefit, so patience rather than authority had to be employed. But when, in the time of Pope Gregory II, the Italian people were growing restless under the rule of Leo the Isaurian, a heretic and persecutor, and were ready to throw off the yoke of this wicked prince if the Pontiff would command or consent, then at last it seemed opportune for the Apostolic See to exert its authority—namely, when it would not exert it in vain. Similarly, Pope Zacharias did not consider deposing King Childeric and raising Pepin to the throne until the people and nobles of France requested it; for it would not have been a prudent policy of the Pontiff to attempt to depose their king, however inept and slothful, against the will of the people and nobles. If Barclay places such importance on the silence of seven hundred years, why should we not place even greater importance on the words and examples of nine hundred years? The Pontiffs and writers of the Church in the earlier period, while they did not affirm, also did not deny that there was in the Apostolic See some power to dispose of temporal matters, at least in relation to spiritual matters. The Pontiffs and writers of the later period, however, expressly declared that this power was not lacking to the Church. The Church is certainly the same, and the gates of hell will never prevail against it; nor does the Church of later times lack men illustrious in doctrine and sanctity. Therefore, he does not think rightly of the Church of Christ who admits nothing except what he reads to have been expressly written or done in the ancient Church, as if the Church of later times either ceased to be the Church or had no faculty to explain and declare, and even to establish and command, what pertains to Christian faith and morals.

10. Barclay cites St. Gregory, who in epistle 61, book 2, calls himself an unworthy servant of the emperor and says that power was given to the emperor from heaven over all men; where he

notes that the word "all" includes even the Pope, if the Pope is a man. And lest anyone might respond that St. Gregory spoke this way out of humility, he cites this from St. Augustine, sermon 29, on the words of the Apostle: "When you lie for the sake of humility, if you were not a sinner before you lied, by lying you become what you tried to avoid." Finally, he adds the words of St. Gregory at the end of that epistle: "So in both cases I have fulfilled my duty, for I have both shown obedience to the emperor, and for God's sake I have by no means kept silent about what I thought."

I respond: St. Gregory called himself the servant not only of the emperor but of all the faithful, as at the beginning of his letters he would write, "Gregory, servant of the servants of God." And John the Deacon, in book 4 of the Life of St. Gregory, chapter 58, testifies that St. Gregory was accustomed to call all priests "brothers," all clerics "sons," and all laymen "lords"; yet I do not think Barclay would concede that St. Gregory was subject to all laymen. Furthermore, what St. Gregory writes about power having been given to the emperor from heaven does not mean that imperial power comes directly from God, but that it is from God in the sense in which the Apostle says in Romans 13, "There is no power but from God." All power is indeed from God; but some directly, like that of Moses, St. Peter, and St. Paul; some through the intermediary of human consent, like the power of kings, consuls, and tribunes. For (as St. Thomas teaches in Summa Theologica 2-2, question 10, article 10, and question 12, article 2) dominions and human principalities are of human law, not of divine law. What St. Gregory adds about power "over all men" is to be understood as over all men subject to the Roman Empire; otherwise, the power of Emperor Mauritius would have been even over the Antipodes, over the Garamantes and Indians, yet it was not over the neighboring Persians or Scythians, nor over the Germans, Franks, Spaniards, or countless others.

Therefore, Barclay could have omitted that inference, "therefore over the Pope, if he is a man." Nor did St. Gregory lie out of humility when he called himself the servant of those to whom he was not subject; for a servant is said to be one who serves the utility of others, whether he does this by obeying or by commanding. Even the Apostle writes that he was a servant of the Corinthians, over whom, however, he says he received power from Christ (2 Corinthians 4 and 12). Finally, as for the obedience which St. Gregory writes that he showed to the emperor, I say it was coerced and rendered de facto, not de jure. For the same St. Gregory, in his explanation of Psalm 101, writes these words about Emperor Mauritius: "He has extended the madness of his rashness to such an extent that he claims for himself the Roman Church, the head of all churches, and usurps the right of earthly power over the mistress of nations."

Barclay continues and exclaims: O divine Prelate, and a sentiment that should be inculcated in all Pontiffs of the following ages! But, alas, how that benign and humble confession has been exiled from our times, gradually replaced by this menacing and haughty speech against kings and emperors: "We, placed in the supreme throne of justice, holding by divine, not human, institution the supreme power over all kings and princes of the whole earth, and all peoples, nations, and races, declare, order, command, etc."—words that are false and empty, as is evident from the fact that the Pope has neither temporal nor spiritual power over infidel princes and peoples, who outnumber Christians, as Bellarmine has shown by the strongest reasoning in his books on the Roman Pontiff.

I respond: This empty exclamation and praise of humble confession is refuted by St. Gregory himself in the privilege that he granted to the Monastery of St. Medard, which is found signed by Gregory himself and many bishops in book 12 of the Letters,

after epistle 31. In that privilege, he speaks thus: "If any king, prelate, judge, or any secular person whatsoever violates or contradicts the decrees of this Apostolic authority and our command, or disturbs or troubles the brothers, or ordains otherwise, let him, of whatever dignity or sublimity he may be, be deprived of his honor, and as a perverter of the Catholic faith, or destroyer of the holy Church of God, let him be separated from the fellowship of Christianity and from the body and blood of our Lord Jesus Christ." And above he had said that by divine authority, in place of St. Peter, Prince of the Apostles, he was making this decree. St. Gregory uses the same words in another similar privilege, which is found in book 9, epistle 10, which is to Abbot Senator. Thus, that humble servant of the servants of God was not ignorant of the eminence of his dignity, when by divine authority, in place of the Prince of the Apostles, he did not fear to command all kings of whatever dignity and sublimity they might be, under threat of deprivation of their own honor, not to dare to violate the decrees of his command. What, therefore, is there in the Bulls of Pius V and Sixtus V (for these are the bulls that Barclay notes in the margin) which he calls menacing and haughty, that is not in that privilege given by the humble Gregory? Pius and Sixtus say that power was given to them by divine institution, and Gregory says that he commands by divine authority. They say they have power over all kings; he says, "if any king, or any secular person whatsoever, etc." They say, "we order, we command"; he says, "if any king, etc., violates the decrees of this Apostolic authority and our command." But, he says, those words of Pius V and Sixtus V are false and empty, as is evident from the fact that the Pope has neither temporal nor spiritual power over infidel princes. I answer: If these words are false and empty, then much more false and empty will be the words of St. Gregory in epistle 61, book 2, cited and praised above by Barclay,

where St. Gregory says to Emperor Mauritius that power was given to him by God over all men. For it is clear that the power of Emperor Mauritius was not over all men, since it was only over men subject to the Roman Empire, which empire at that time did not even contain a third part of mankind. Just as, therefore, the words of St. Gregory about the power of Mauritius over all men should be understood as referring to all men who were subject to the Roman Empire, so also the words of the Pontiffs about power over all kings and peoples should be understood as referring to all kings and peoples who are in the Catholic Church, which is spread throughout the whole world. That this is how those words should be understood is shown by the preceding words. For Pius V, at the beginning of his Bull, writes that there is only one true Church of God, and that it is entirely committed to St. Peter and his successors; and from this he infers that the Supreme Pontiff has power over all kings and peoples—namely, those who pertain to the Church, which is in the whole world. Sixtus V, moreover, says that the care of all churches, peoples, and nations falls to him; where he does not say that he has power over all peoples and nations, but over the churches that are among all peoples and nations. A similar expression is found in St. Bernard in book 3 of "On Consideration," chapter 1, where he says that the whole world pertains to the care of the Supreme Pontiff: "Thus you are the heir, and the world is the inheritance; he must go out of the world who wishes to explore what does not pertain to your care." And yet in the same place he says that the Pope is not the lord of the world; but the whole world pertains to him because he must feed the faithful, preside over them with authority, and apply study and diligence to the conversion of the infidels, as the Apostles did. St. Thomas also, in Summa Theologica 2-2, question 12, article 2, says that the Pope has power over the faithful and over infidels who have at some time accepted the

faith, but not over those who have never accepted the faith, according to what the Apostle says in 1 Corinthians 5: "What have I to do with judging those who are outside?" I followed these authorities and many others in the place that Barclay noted, namely book 5 on the Pontiff, chapter 2. Nor is this contradicted by what we taught above with St. Thomas, that any infidels can be deprived by the Supreme Pontiff of dominion which they have over the faithful. For even if it does not absolutely pertain to the Pontiff to judge those who are outside, nor does the Pontiff have ordinary power over them, since they do not pertain to the flock entrusted to him except potentially, nevertheless, for the sake of preserving the faithful, he has from God the authority to deprive infidel princes of dominion which they have over the faithful, as the same St. Thomas teaches in Summa Theologica 2-2, question 10, article 10.

Lastly, I add that the words of Pius V are not as haughty and menacing as Barclay says. For these are his words in the Bull of excommunication of Elizabeth, pretended Queen of England: "He who reigns on high, to whom all power in heaven and on earth has been given, entrusted the one holy Catholic and Apostolic Church, outside of which there is no salvation, to one alone on earth, namely to Peter, the Prince of the Apostles, and to Peter's successor, the Roman Pontiff, to be governed in fullness of power. Him alone He appointed as prince over all nations and all kingdoms, to pull up, destroy, scatter, disperse, plant and build, so that he may preserve the faithful people, bound together in the bond of mutual charity, in the unity of the Spirit, and present them safe and sound to their Savior. In carrying out this responsibility, we, called by God's kindness to the governance of the aforesaid Church, spare no labor, etc." And further on: "Therefore, supported by the authority of Him who has willed to place us (though unequal to such a burden) on this supreme

throne of justice, out of the fullness of our apostolic power, we declare the aforesaid Elizabeth a heretic and supporter of heretics, and those who adhere to her in the aforesaid matters to have incurred the sentence of anathema and to be cut off from the unity of Christ's body; moreover, that she herself is deprived of her pretended right to the aforesaid kingdom and also of all and any dominion, dignity, and privilege, etc." Furthermore, the Bull of Sixtus V begins thus: "The authority handed down from the immense power of the eternal King to Blessed Peter and his successors surpasses the powers of all earthly kingdoms and princes, and standing firm upon the rock, neither deflected by any adversities nor by favorable winds, it pronounces judgments upon all." And further on: "Therefore, established on this most exalted throne and in the fullness of power which the King of kings and Lord of lords Himself has given to us, though unworthy, by the authority of Almighty God and of the blessed apostles Peter and Paul and by our own authority, and by the counsel of our venerable brothers, the Cardinals of the Holy Roman Church, we pronounce and declare, etc." Therefore, the statement which Barclay quotes is not found verbatim in the Bulls of Pius V or Sixtus V. Rather, he constructed it from various places in such a way as he judged would be most apt for stirring up envy. I omit the rest of what is in this third chapter, because they are not arguments or reasons, but maledictions and insults against the Pontiffs; for we wish to imitate Him who, "when He was reviled, did not revile in return; when He suffered, He did not threaten" (1 Peter 2).

CHAPTER FOUR
ON THE FALSE CAUSE OF THE ORIGIN OF PONTIFICAL TEMPORAL POWER ASSIGNED BY BARCLAY

In the fourth chapter, Barclay discusses the origin of pontifical temporal power, as if it were already established that by divine law only spiritual matters pertain to the Supreme Pontiff. But since this is neither established nor true, I could easily have passed over this entire chapter in silence, as it is irrelevant to the matter, or at least lacks a solid foundation. Let us see, however, what Barclay brings forward in this section.

"Two things," he says, "I find primarily that seem to have given the Pontiffs a handle for arrogating such great power to themselves. One is the immense honor which, as was fitting, was conferred—and should still be conferred—upon the supreme Pastor of souls by Christian princes and peoples, and also the presumed opinion of the sanctity of that See of the blessed Apostles Peter and Paul." And further down: "The second handle for seizing such great temporal jurisdiction was provided by the sword of excommunication."

I respond: Barclay searches in vain for the source of such great power for the Supreme Pontiffs, when the reason is readily

available, which both Doctors by common consensus and the general councils themselves have handed down—namely, the supreme spiritual power divinely conferred upon the Apostle Peter and his successors over the entire Church. From this it clearly follows that, for the sake of spiritual matters and eternal life, the Supreme Pontiff can also dispose of temporal affairs, as was explained in the previous chapter. As for Barclay's claim that the Pontiffs seized the opportunity to arrogate temporal power over kings and princes from the great honor shown to the Supreme Pontiffs and the presumed sanctity of that See—this is demonstrably false from what Barclay himself wrote above. For great honor and presumed sanctity were not lacking in the first thousand years; indeed, they flourished most vigorously then. And yet Barclay contends that Gregory VII was the first to usurp temporal power over kings and princes, after the year 1070 from the coming of the Savior. Perhaps he will say that in those early years the Pontiffs were excellent men, but later, becoming worse, they began to aspire to the glory of temporal empire. But Gregory VII was a most holy man, distinguished not only by innocence of life but also by miracles. There are as many witnesses to this fact as there are writers of that time, except for schismatics or heretics. Similarly, Innocent III and IV, who seem to have used this power more than others, were considered most praiseworthy Pontiffs. Nor is it true that Gregory VII was the first who began to dispose of temporal kingdoms, for Gregory I and II, and other excellent and most praiseworthy Pontiffs before Gregory VII, testified that they had this power, as we will show shortly. Furthermore, excommunication is indeed an instrument which Pontiffs commonly use to restrain the powers of this world, but even without this instrument, the Supreme Pontiffs have more than once disposed of temporal dignities for the benefit of the Church and the salvation of souls—as when Zacharias ordered

the deposition of Childeric, King of the Franks, and commanded Pepin to be anointed and elevated to the throne, and released the people from obedience and fidelity owed to Childeric; and when Hadrian I conferred the dignity of the Roman Patriciate on Charlemagne, King of the Franks; and when Leo III declared the same Charles to be Emperor of the West. Therefore, it is not true that the censure of excommunication gave the Pontiffs a handle to arrogate temporal power to themselves.

But it pleases me to note certain things which Barclay has blurted out in this chapter with great temerity.

1. The first is this: "But here the reader should be warned that the opinion celebrated by all voices, that every excommunication is to be feared, should be understood with this exception: except when it is manifestly clear that it is unjust; for then it is neither to be heeded nor feared, provided there is no contempt or presumption on the part of the excommunicated person."

This doctrine of Barclay is condemned by all good writers, who distinguish between an unjust excommunication and an invalid one. They teach that an unjust excommunication should be feared, in agreement with St. Gregory, but an invalid one need not be feared, except sometimes to avoid scandal, namely, when the invalidity of the excommunication is not known. And lest it be necessary to cite individual Doctors, let us hear Martin Navarro, who testifies that this is the common doctrine. In his Enchiridion, chapter 27, number 3, Navarro speaks thus: "A sentence of excommunication, however unjust, is regularly valid, and therefore Gregory in chapter 1, question 3, said it should be feared whether it is just or unjust." And further down: "Where the gloss and Doctors everywhere clearly say that an unjust excommunication is valid and binding, and differs from one that is null."

2. The second is in these words: "Of this kind of excommunication seems to be that which is pronounced against subjects because they obey their excommunicated king or prince in matters that are of temporal jurisdiction and do not contradict God's commandments."

We can demonstrate the temerity of this doctrine from the fact that it condemns the sentence of Innocent IV pronounced in the Council of Lyon. For what greater temerity can there be than to condemn as manifestly unjust a sentence of the Supreme Pontiff, issued in a general council and approved by the consensus of all?

3. The third is in these words: "And indeed Gregory VII, moved partly by the public offense of Emperor Henry IV and partly by private injury, first of all openly asserted for himself the right of giving and taking away kingdoms."

But it is entirely false that Gregory VII was the first of all to assert for himself the right of giving and taking away kingdoms. For we have already enumerated six Pontiffs who did the same thing before Gregory VII, namely, Gregory I, Gregory II, Zacharias, Leo III, Gregory IV, and Hadrian II. For Gregory I added these words to the privilege cited above: "If any king, prelate, etc., let him be deprived of his honor." Gregory II deprived Emperor Leo the Isaurian of the taxes of Italy, as attested by Zonaras, Cedrenus, and others. Zacharias deposed Childeric from the kingdom and raised Pepin to the throne, as the most ancient Annals of the Franks testify, where we read: "Having given his authority, (Zacharias) ordered Pepin to be made king." And further down: "According to the sanction of the Roman Pontiff, Pepin was called King of the Franks." The same is said by Aimoin, Eginhard, Lambert, Regino, Sigebert, Hermann Contractus, Marianus Scotus, the Abbot of Ursperg, Otto of Freising, and Albert Krantz, whose words we will cite below. Leo

III transferred the Empire of the West from the Greeks to the Franks, which we have proven with testimonies from historians, Pontiffs, emperors, and the electoral princes themselves in book 1, On the Transfer of Empire. Gregory IV rescinded by his authority the decree of the Franks by which the empire was taken from Louis the Pious, and restored the empire to Louis, as Marianus Scotus reports in book 3 of his Chronicle, with these words: "Louis, by the command of Pope Gregory, received the queen who came to meet him at Aachen; for not only had Louis's sons abrogated the empire from their father, but they had also taken away his wife Judith; but by Gregory's command he received both back." And Paul Aemilius in book 3 of The Deeds of the Franks says: "A council of bishops, which Louis the Emperor's sons had convened, was held at Lyon; the empire was abrogated from the father, but this decree was soon rescinded by Gregory, the Supreme Pontiff." Finally, Hadrian II, more than two hundred years before Gregory VII, when he learned that the empire of the younger Emperor Louis was being threatened by the armed forces of Charles the Bald, wrote threatening letters to Charles, as Anthony testifies in book 5, chapter 24, who says: "In the Pope's letters it was stated that the kingdom formerly of Lothair, which was owed by hereditary right to Emperor Louis, his spiritual son, and which reverted to him after the death of this same Lothair, or the people living in it, should not be invaded by any mortal, nor disturbed, nor should anyone attempt to turn it to himself; and if anyone should presume to do so, not only would it be invalidated by the ministry of his authority, but also, bound by the chains of anathema and deprived of the name of Christianity, he would be placed entirely with the Devil."

4. The fourth is in the following words: "But in truth, by this act Gregory accomplished nothing else than to arouse bloody and

furious tragedies, nor did he successfully complete what he had determined, being prevented by force and arms."

This also is manifestly false, since it was not Gregory's decree but Henry's disobedience that produced bloody and furious tragedies. And what Gregory chiefly desired—namely, to wrest the investiture of bishops from the hands of laymen—he accomplished completely, partly by himself and partly through his successors. For Gregory's sentence and decree were confirmed by all his successors—Victor III, Urban II, Paschal II, Gelasius II, and Callixtus II—in whose time, with the emperors yielding, peace was made between the priesthood and the kingdom. For so writes the Abbot of Ursperg in his Chronicle of the year 1493: "He, in whose hand is the king's heart, bent all the animosity of the Emperor under the obedience of Apostolic reverence, for the sake of Mother Church, even beyond the hope of many, etc." See the entire passage.

5. The fifth and last is in those words where he magnificently praises Hosius, Bishop of Córdoba, whom he calls "a great man and most noble Confessor," and says that from his opinion it is established that the Church in early times neither had temporal power over princes nor believed itself to have it, not even on account of heresy, which is a most serious and pernicious crime.

But we know that Hosius was once a great man, yet we are not unaware that he later fell most disgracefully into the Arian heresy. For this is related by Athanasius in his epistle to those leading a solitary life and in his second Apology; by Hilary in his book On the Synods; by Epiphanius in heresy 73; by Sebadius in his book against the Arians; by Sulpitius in book 2 of Sacred History; by Socrates in book 2, chapter 26; by Sozomen in book 4, chapter 5; by Vigilius the Martyr in book 5 against Eutyches; and finally by Isidore in his On Illustrious Men, in the section on Gregory of Baetica. Furthermore, even if Hosius had never fallen,

he still should not be esteemed so highly by Catholic men as to be preferred to general councils, not just one but many, and to all the Doctors whom we cited at the beginning, who by common consensus teach that because of heresy princes can be deposed by the Supreme Pontiff and deprived of their principality. Finally, I add that the words of Hosius do nothing at all against the common opinion. For what did he say? That it is not permitted for the Pontiff to wield imperial power, just as it is not permitted for emperors to hold the pontificate. But even if the Pontiff does not wield imperial power, he can nevertheless, through the pontifical power itself, exclude a heretical emperor from the Church and abrogate his imperial authority to prevent him from harming the Church. For neither was Zacharias a king, yet he could depose a king; nor was Leo III an emperor, yet he could transfer the empire from one nation to another. Indeed, if the Pope were a king or emperor, he could not depose an emperor or king by imperial or royal power, because an equal has no authority over an equal. Therefore, what the Pope does, he does by Apostolic, that is, supreme spiritual power, as the Vicar of Christ, not as an earthly Prince. From this it is clear how much the perverse attachment to one's own opinion obstructs the light of the mind. For Barclay, captivated by love for his own opinion, thought he clearly saw in the words of Hosius what we cannot perceive even a trace of.

CHAPTER FIVE
ON THE POWER OVER TEMPORAL MATTERS, WHICH THEOLOGIANS ATTRIBUTE INDIRECTLY TO THE SUPREME PONTIFF

In the fifth chapter, Barclay, having dismissed (as he says) the opinion of the Canonists and Bozius, proceeds to refute the position of the Theologians who say that the Pope has power over temporal matters indirectly. But before I proceed to refute his arguments, I will briefly explain what we understand by these terms "directly" and "indirectly," and who is the author of these terms. Therefore, by the terms "directly" and "indirectly," we do not understand, as some jokingly say, that spiritual power is in the Pontiff directly, that is, justly and legitimately, while temporal power is indirectly, that is, unjustly and usurpatively. Rather, the pontifical power is per se and properly spiritual, and therefore directly concerns spiritual matters as its primary object; but indirectly, that is, in relation to spiritual things, reductively, and by necessary consequence, so to speak, it concerns temporal matters as a secondary object, to which this spiritual power does not extend except in certain cases, as Innocent III states in the chapter "Per venerabilem," Qui filii sunt legitimi: "In other regions," he says, "having considered certain cases, we

occasionally exercise temporal jurisdiction." This is also how St. Bernard speaks in Book 1 of De Consideratione, chapter 5: "But," he says, "it is one thing to address these matters (temporal affairs) incidentally when necessity urges; it is another to deliberately occupy oneself with them as if they were great and worthy of such attention." Moreover, we have as the author of these terms Pope Innocent IV, a most learned Pontiff. For in explaining the chapter "Novit," de Judiciis, Paragraph "de feudo," he says that the Pontiff does not judge feudal matters directly, but indirectly by reason of sin. The same distinction is used by John of Torquemada, Thomas Cajetan, Peter de Palude, Durandus, Francis Victoria, Dominic Soto, Martin Ledesma, Jacob Simanca, Antonio of Cordoba, Martin Navarrus, Luis Molina, and others. I now come to Barclay's arguments.

First, he brings an argument which I had used against those who claimed that the power of the Pontiff is both pontifical and royal, spiritual and temporal, and that temporal kings are not so much kings as executors of pontifical power and will. My argument was this: The power of earthly kings is from God, as the Pontiffs themselves confess: St. Leo, in epistle 38 to Martian; St. Gelasius, in his epistle to Anastasius; St. Gregory, in Book 11, epistle 61; Nicholas, in his epistle to Michael. Therefore, either the Supreme Pontiff can remove the execution of administration from kings and emperors as the supreme king and emperor himself, or he cannot. If he can, then he is a greater king than Christ, since he can take away what Christ gave; if he cannot, then he truly does not have royal power over kings and emperors themselves. Barclay turns this argument against my position and that of other theologians as follows:

1. "Either the Supreme Pontiff can in some way, that is, directly or indirectly, take away kingdoms and empires from kings and emperors and confer them on others, or he cannot. If

he can, then he is in some way greater than God, because he takes away what God has given. For a lesser or equal cannot take away what has been granted by a greater or equal, not even a Vicar without the express mandate of the Lord (lest anyone reply to us that the Pope does this as Christ's Vicar, since he is found to have received no mandate on this matter, either express or tacit). If he cannot, then it is false what they say, that he has supreme power indirectly to dispose of all temporal matters of Christians, and to depose kings and emperors from their thrones, and to install others in their place." Thus Barclay.

I respond: When we say, according to the view of the Pontiffs, that the power of earthly kings is from God, we do not understand it to be from God immediately, as the power of the Supreme Pontiff is from God; but that it is from God because God willed that political government should exist in the human race, and therefore gave mankind a certain natural instinct to elect magistrates by whom they might be governed. Moreover, God willed that the political regime should be distinct from the ecclesiastical, as Pope Nicholas expressly taught in his epistle to Michael, and after him Innocent in the chapter "Solitae," de majorit, et obedient, and before both of them Gelasius, in his epistle to Anastasius. From these it is clear that my argument is solid, and Barclay's argument is entirely weak. For if in the Supreme Pontiff there were both spiritual and temporal power directly, and if the Pontiff were king of the world as he is Pontiff of the universal Church, and other kings were mere executors of temporal jurisdiction, certainly the Pontiff could at his discretion deprive any kings of the administration and execution of temporal jurisdiction; and in this way he could abolish the political regime, or confuse it with the ecclesiastical. And he would be greater than Christ, since he could abolish or confuse powers which Christ wanted to exist, and to exist as distinct. But

if in the Supreme Pontiff one places spiritual power directly, and temporal power only indirectly, that is, solely in relation to spiritual matters, it does not follow that the Pontiff can abolish or confuse the political regime, but only that the Pontiff can, through his spiritual and Apostolic most eminent power, direct and correct the political power, and, if necessary for the spiritual end, take it away from one prince and confer it on another. And to respond formally to the argument, when he says: "Either the Supreme Pontiff can in some way, that is, directly or indirectly, take away kingdoms and empires from kings and emperors and confer them on others, or he cannot," I respond that he can. When he infers, "if he can, then he is in some way greater than God, because he takes away what God has given," I deny the inference, for God did not give the kingdom directly to this or that person. Rather, the power of kings is said to be from God because God willed that there should be political power among men, and that it should be distinct from ecclesiastical power. Therefore, when the Supreme Pontiff transfers a kingdom from one to another, he does not take away what God gave, but orders and directs it. And just as God gives kingdoms to men through the consent and counsel of men, and can and does change and transfer them from nation to nation through the counsel and consent of these same men, so God can with greater reason change and transfer them for a spiritual end through His general Vicar, whom He has set over His whole family. But, says Barclay, this Vicar has no mandate from the Lord, neither express nor tacit. On the contrary, he has an express mandate, but in general: for by the very fact that he has been made Pastor of the whole flock, and placed over the whole family, and made head of the whole body of the Church in place of Christ, he is understood to have a mandate to rule, direct, and correct all the sheep of the entire flock, all the fellow servants who are in the family, and all

the members who are in the body. Nor are emperors and kings excepted, unless they wish to be excluded from the number of Christ's sheep, from Christ's servants, and from the members of Christ's body.

2. Barclay then brings another argument which I proposed against the view of those who attribute to the Supreme Pontiff direct temporal power over all kingdoms of the world, and he tries to turn it against my view and that of other theologians concerning indirect temporal power, that is, in relation to spiritual matters. He speaks as follows: "But another, far more effective argument, which we cited above from the same book and chapter of Bellarmine, we shall with good reason adapt to our purpose in this manner. If it is true that the Pope has power indirectly to dispose of the temporal affairs of all Christians, he has this either by divine law or by human law. If by divine law, this should be evident from the Scriptures, or at least from Apostolic tradition. From the Scriptures we have nothing except that the keys of the kingdom of heaven were given to the Pontiff; of the keys of the kingdom of earth there is no mention. The adversaries produce no Apostolic tradition."

I respond: The Supreme Pontiff has, by divine law, the power to dispose of the temporal affairs of Christians in relation to the spiritual end. This is evident from the Scriptures; for in the keys of the kingdom of heaven given to the Apostle Peter for himself and his successors, Matthew 16, the keys of the kingdom of earth are not indeed understood, of which no mention is made in the Gospel, because it was not necessary that the Supreme Prince of the Church should also be the temporal monarch of this world. But what is understood is the power to dispose of temporal matters insofar as they help to open the kingdom of heaven to the faithful, or insofar as they impede and obstruct the opening of the kingdom of heaven to the faithful.

3. But, objects Barclay, "If they say that neither the express word of God nor the tradition of the Apostles is necessary to confirm this power, since it belongs to the Pontiff only indirectly and as a sort of consequence, as an inseparable concession and appendage of that spiritual power which he possesses as the supreme Pastor of souls over all the sheep of the Christian flock, we will again ask them for some testimony of this concession and connection from the Scriptures or from the tradition of the Apostles."

I respond: I have already said that the power of which we speak is expressly held in the Scriptures, but generally, not in particular; namely in that chapter 16 of Matthew, "I will give you the keys of the Kingdom of heaven," and John 21, "Feed my sheep." And from these same divine testimonies is inferred that particular concession and connection of the power to dispose of temporal matters in relation to spiritual ones, as has been explained more than once. Nor is it true what Barclay adds, that this great power was passed over in silence in the Church for so many centuries, both by Christ and by the Apostles and their successors. For it was clearly enough indicated by Christ in the places cited, and also indicated by the Apostle in 1 Corinthians 6, when he says: "Do you not know that we shall judge angels? How much more worldly matters?" And it was demonstrated in practice by the successors of the Apostles Peter and Paul, namely the Roman Pontiffs, in the deposition of kings and emperors, from the year of our Lord seven hundred onwards; for before that time, either the necessity or the opportunity was lacking.

4. Barclay objects again: "If each power can be separated from the other, spiritual from temporal, and vice versa, then there is room for the principle that what is not permitted to be done directly cannot be done indirectly either. For the prudent have determined that whenever something is prohibited from being

done directly, it cannot be done indirectly either, or by consequence, unless what is prohibited necessarily follows from something else permitted by law, so that what is permitted cannot proceed without what is prohibited, and unless (as I would say with the Jurist, l. 5. §. generaliter, de donatione inter vir, et uxor.) the cause of both is so mixed that it cannot be separated. Hence it is concluded that he who alone cannot alienate something cannot even lend upon it, according to Panormitanus in cap. dudum. 54, de elect. and cap. cum pridem, de pact., because he would in this way alienate the thing obliquely and indirectly. If, therefore, the Pope, as Pope, has no direct temporal jurisdiction over Christians, which they concede, he seems by the above principle of law to be unable to have it indirectly either. Therefore, in order to persuade men of their view, they should produce testimony from the Scriptures or from Apostolic traditions, or at least teach that the temporal power of which they speak is so conjoined with the spiritual that it cannot be torn away and separated from it, that is to say, that the spiritual power can in no way exist without it. And since they have been unable to demonstrate this, they have followed nothing but uncertain opinions and reasons that do not seem to adequately establish what they claim."

I respond: Concerning the conjunction and separation of ecclesiastical and political power, there can be two questions. One: Can ecclesiastical power exist without political power, so that there is no political prince in the Church, and conversely, can political power be found in some nation where there is no ecclesiastical prelate? In this sense, we concede that these powers can be found completely separated. For in the early times of the Church, the Church existed on earth without any Christian temporal prince, and there were at the same time, as there are even now, some kingdoms of infidels where there are no ecclesiastical prelates. The other question can be: Can there be a

supreme ecclesiastical or spiritual power which does not have in some way annexed the power to dispose of temporal matters in relation to spiritual ones? And in this sense, we deny that there can be a supreme ecclesiastical or spiritual power which does not have temporal power annexed to it in some way, that is, in relation to spiritual matters. For even at that time when there were no temporal princes in the Church, the ecclesiastical prince could command the faithful to support the ministers of the Sacraments from their temporal goods; likewise, that the faithful should settle civil disputes among themselves and not go to the tribunals of infidels for these matters, both of which the Apostle teaches in the first letter to the Corinthians, chapters 6 and 9. The Church could also not tolerate an infidel prince over it if he tried to turn the faithful away from the worship of the true God, as St. Thomas teaches in 2. 2. q. 10. art. 10. Finally, at that time, the use of this power over princes was lacking because there were none, but the power itself was not lacking; for power is one thing, the use of power another. Therefore, Barclay's foundation concerning the separation of these powers completely collapses, and with its collapse the whole edifice of his arguments falls. For what he adduces from civil and canon law is not relevant, because we do not admit that spiritual power can be completely separated from temporal power; and we hold the contrary as established, based on the testimony of Scripture and the practice of the Church. But Barclay assumes as certain and granted that we are without Scriptural testimony and that those powers are in no way conjoined, which none of us concedes; indeed, we contend that these assumptions are false. Furthermore, when there are temporal princes in the Church, as there have always been after the first two or three hundred years, then ecclesiastical and political power are conjoined by an even stricter bond, since the political prince is subject to the spiritual prince as a son to a

father, and as a member to the head. For the political and spiritual commonwealth form one Church, not two, and the head of that one Church is the Vicar of Christ, the successor of Peter. Therefore, if Barclay's arguments had any validity for princes who never embraced the faith of Christ, which we do not admit, certainly for Christian princes, or those who were at some time Christian, they have no validity at all. But more on this is to be said in its proper place.

CHAPTER SIX

WHY IN THE FIRST SEVEN HUNDRED YEARS THE SUPREME PONTIFFS DID NOT DEPOSE HERETICAL OR APOSTATE KINGS

In chapter 6 Barclay advances as an unanswerable argument that for roughly a thousand years there was neither practice, nor example, nor any mention at all in the Church of such papal power—although in the meantime many Christian princes abused their kingdoms and empires impiously, cruelly, perversely, and to the great harm of the Church. He then offers a solution to his own argument, the same one that twenty years earlier Francis Romulus had given in his Response to the Apology that had been falsely entitled "Catholic." Barclay proceeds to refute that solution at excessive length—throughout that chapter and the next until chapter twelve—with loud and odious clamor, so that in these six chapters he seems to have wished to play not the jurist or the disputing theologian, but the tragic declaimer. I shall therefore transcribe here, as Barclay relays it, the complete response of Francis Romulus; afterward I shall reply to each part of Barclay's refutation. Francis Romulus speaks thus in the Apology, chapter 8: "Now as to what the adversary objects, fourthly, concerning the custom of our forebears—who put up with many heretical

princes, such as Constantius and Valens, Arians; Anastasius, a Eutychian; Heraclius, a Monothelite; and any others there may have been—this is irrelevant. For the Church ought not rashly or thoughtlessly to abuse her own power. Moreover, it often happens that the power of certain kings is joined with such wickedness and savagery that ecclesiastical censures avail nothing to restrain them and do great harm to the Catholic peoples, against whom enraged princes rage all the more. Tell me, what good would it once have done the Church if she had attempted to excommunicate and drive from their thrones either the Ostrogothic kings in Italy, or in Spain the Visigoths, or the Vandals in Africa—even if she could quite justly have done so? The same judgment must be made about Constantius, Valens, and the others named above. For the times were such that bishops ought rather to have been prepared to undergo martyrdom than to coerce princes. But when the Church saw some opportunity open to exercise her power—either for the spiritual good of those princes themselves, or at least without loss and ruin to the peoples—she did not fail herself, as the examples just cited a little above show. Thus the Church judged that Leo the Isaurian should be deprived of part of the empire, Henry IV of the whole empire, and Childeric of the kingdom of France—so that afterward, in fact, Leo lost part of the empire, Henry the whole empire, and Childeric the kingdom. Accordingly, the Church tolerated those earlier emperors, Constantius, Valens, and the rest, not—as our adversary dreams—because they had lawfully succeeded to the empire; otherwise she would also have tolerated Leo, Henry, and Childeric, who had no less lawfully succeeded. Rather, she tolerated them because she could not restrain those former emperors without harm to the people, whereas in the latter cases she could."

This response of Francis Romulus must be defended against Barclay's bites, both because it greatly serves our cause and because it is the work of a Catholic and learned man, whose book I saw long ago—not printed at Rome, as Barclay pretends, but in Gaul, though I do not remember the city. Barclay took it upon himself, first of all, to criticize that statement in which it is said: "The times were such that bishops ought rather to have been prepared to undergo martyrdom than to coerce princes." Barclay —modest as ever—declares these words to be false and founded upon sheer and marvelous lies. He adds that such sentiments seem to him unworthy to be advanced by any Catholic, much less by a theologian. Finally, he interprets those words in the worst possible sense and exclaims: "What then? Have we fallen into such times that bishops ought to be soldiers rather than martyrs? And should the law of God and the Church be defended by battles rather than by preaching?" Seizing upon this pretext, he rages with greatest fury throughout that whole chapter against the morals of bishops and cardinals. Passing over his insults and slanders and his whole snarling eloquence, we shall answer briefly.

First, I say it is false that, as he assumes at the beginning of his chapter, for roughly a thousand years there was neither practice, nor example, nor any mention at all of such papal power in the Church. The examples previously cited of Gregory I, Gregory II, Gregory IV, as well as of Zachary and Leo III, plainly show the contrary. Next I add that Francis Romulus did not divide his response into two parts, as Barclay feigns; it is one simple reply—namely, that the Church could not at that time make use of her power; hence martyrdom had to be endured rather than the faith denied. In the same way even at this time, where the pagans prevail—as in the islands of Japan—or the heretics—as in Britain—many are encouraged to martyrdom, and

in reality bravely undergo martyrdom rather than allow themselves to be led to a denial of the faith. Finally, I subjoin that the proper time for martyrdom is that in which neither flight nor just defense is possible, and only by suffering can the denial of the faith be avoided. For the Lord in the Gospel never forbade repelling force by force; indeed he not only permitted flight but, when the necessity of the Church or a greater advantage requires it, even commanded it, saying: "When they persecute you in one city, flee to another" (Matt. 10). He ordered us not to rush upon the swords of persecutors, but to endure with equanimity the death inflicted for confessing the faith. As to flight, the Lord's command and the testimonies and examples of the holy prophets and apostles are so evident—as St. Athanasius abundantly shows in his Apology for his flight—that no doubt remains to Catholics regarding this matter. And that it is lawful to repel force by force and, by right of war, to ward off the persecution whether of pagans or of heretics, if strength is at hand, is taught by the wars of the Maccabees against Antiochus, who sought to compel the people of God to idolatry; by the wars of Catholics against heretics in Africa in the time of St. Gregory, of which the same St. Gregory speaks (Book 1, Epistle 77 to Gennadius the Exarch), praising him for zealously pursuing heretics with arms and urging him to proceed manfully; by the wars of Catholics against the Albigensian heretics and Count Raymond of Toulouse, their patron, when—by the help of divine grace—more than one hundred thousand were slain in a single battle by Count Simon de Montfort, though he had but a small force, as Paul Aemilius writes in Book 6 of his History of the Franks; and in our own time by the wars of the Swiss Catholics against the Swiss Zwinglians. For as Johannes Cochlaeus writes in the Acts of Luther under the year 1531, the Swiss, fighting for the Catholic faith, though inferior in numbers and strength and with justice in

their cause as their only superiority, won five glorious victories over the heretics. When the Catholics began to be harassed by the Arian emperor Constantius, St. Athanasius and other Catholic bishops fled to Constans, the Orthodox prince who ruled in the West, and obtained threatening letters to Constantius, as is found in the Tripartite History (Book 4, Chapter 25), by which letters the persecution was checked for a time. But shortly thereafter, Constans having died and Constantius possessing the rule of the whole Roman world, since there was no one who dared resist him, that time arrived when bishops ought to be prepared for martyrdom and not be thinking of excommunicating or deposing the emperor. This is the opinion of Francis Romulus—not that which Barclay falsely attributes to him, as though he had meant that formerly bishops ought to have been martyrs, but now ought to be soldiers.

CHAPTER SEVEN
WHY THE CHURCH DID NOT DEPOSE THE EMPERORS CONSTANTIUS THE HERETIC AND JULIAN THE APOSTATE

In the seventh chapter Barclay undertakes to refute those last words of Francis Romulus: "Thus the Church tolerated those earlier emperors, Constantius, Valens, and the rest, not because they had lawfully succeeded to the empire—for otherwise she would also have tolerated Leo, Henry, and Childeric, who had no less lawfully succeeded—but because she could not restrain those former emperors without harm to the people, whereas in the latter cases she could." He marvels that Bellarmine wrote the same thing (Book V On the Pontiff, chapter 7). But that he may marvel still more, let him know that St. Thomas held the same opinion (Summa theologiae II–II, q. 12, a. 2 ad 1), where he says that the Church tolerated the faithful rendering obedience to Julian the Apostate because in her then recent state she did not yet have the strength to restrain earthly princes. Barclay therefore thinks the Church could easily, had she wished, have hurled from the throne both Constantius the Arian and Julian the Apostate; but that she did not do so because she knew they had lawfully succeeded to the empire. His arguments are these. First, that the

whole world in the time of Constantius was Christian and the greater part of it Orthodox. "It is most false," he says, "that the Church could not have restrained those emperors as easily as these others—indeed more easily—and without harm to the people, whether she attempted it by arms or by some stratagem, employing the service of a devoted man. For already the whole world under Constantius was Christian (as is clear from the letter of Constantine the Great to the Church, reported by Eusebius and Nicephorus) and the greater part of it was Orthodox, so that they would not have lacked the strength to crush the emperor, had they believed it lawful and pious to contend in arms against a legitimate prince."

I reply: First, it is not true that in the time of Constantius the whole world was Christian, nor does Constantine say this in that letter. Even if it were true, how could Symmachus, the Prefect of the City, in a lengthy oration (which stands among St. Ambrose's letters between the twenty-ninth and thirty-first) have attempted to persuade the emperor Valentinian to restore the rites of the Roman pagans? Why would St. John Chrysostom in his oration on St. Babylas, and Theodoret in his books On Healing the Greek Affections, have disputed so extensively against the pagans of their time? Why would St. Augustine and Paulus Orosius have written against the complaints of pagans—the former the books On the City of God, the latter a history of the calamities which the Romans had suffered before Christ came? Finally, the barbarians with whom, after the time of Constantine, the Romans continually fought in the East and the North—the Parthians, Persians, Sarmatians, Goths—were they not for the most part pagans? Even if this were true, one could not rightly infer that it was easy for the Church to restrain Constantius or Julian. Those emperors were exceedingly powerful and led many armed legions, against which an unarmed multitude of the faithful could

do nothing—especially since they had no Christian prince who was willing or able to arm them and lead them, when armed, against the emperors. Even in our own time within the empire of the Turks there are very many Christians, and perhaps more in number than the Turks themselves. Yet, because they have neither a leader nor arms at hand, they can do nothing against the king of the Turks. This is the reason why, in former times, neither the Italians could shake off the yoke of the Goths, nor the Africans that of the Vandals, nor the Gauls that of the Franks. By contrast, it was easy for the Supreme Pontiff Gregory to exclude the Greek emperor Leo from dominion in Italy, because his forces in Italy were weakened and the nobles of Italy especially wished for this—to be given by the Pope the permission to withdraw from the impious emperor. By the same reasoning Pope Zachary could, with no difficulty, deprive Childeric, king of the Franks, of his kingdom, since the Frankish nobles themselves desired it, and Childeric—after the power of administration had been transferred to the Mayor of the Palace—languished in idleness and sloth. Finally, Pope Gregory did not decree that the emperor Henry be deposed until his very grave crimes, reported to him by the voice of the peoples, demanded justice, as Marianus Scotus and other historians of that time record.

Barclay adds that in the times of Constantius there was no lack, in Egypt and Libya and other places in Asia and Europe, of very many monks, whose zeal was no less than that of the man who stabbed Henry III, king of the Franks; and that, had it been permissible, they could easily have removed Constantius.

I reply: It does not belong to monks or other ecclesiastics to commit killings (see Decretals, 23, q. 8, c. 1 and following)—much less to assassinate kings by treachery. Nor have Supreme Pontiffs been accustomed to restrain princes by such means. Their practice is, first, to rebuke paternally; then, by ecclesiastical

censure, to deprive them of communion in the sacraments; finally, to absolve their subjects from the oath of fidelity and, if circumstances require it, to declare them deprived of royal dignity and authority. Execution belongs to others. Wherefore, when Pope Innocent in the Council of Lyon abrogated the empire of Frederick II, he is reported to have said: "I have done what is mine to do; let God do and carry forward in these matters what he wills." Matthew Paris reports this under Henry III, recounting the acts of the year 1245.

Barclay then goes on to contend that it would have been easy for the Church to remove Julian the Apostate and Valens the Arian, because their armies were for the most part Catholic and obedient to bishops; and since the Church did not do so, it follows that either the pontiffs of that time did not discharge their office, or they believed it was not lawful for them to depose princes, even if apostates or heretics.

I reply: It was exceedingly difficult to depose Julian the Apostate, for he alone held the rule; nor is it true that his whole army was Christian. Rufinus writes (Book 1, Chapter 1) that it was wholly polluted with sacrileges—namely, idol sacrifices. For, as is written in the Tripartite History (Book 7, Chapter 1), Julian had enacted a law that all soldiers were to sacrifice to idols or be expelled from the army. The army was therefore full of pagans or of those who had defected from Christ. Nor does it conflict with this that Barclay cites from Rufinus, Socrates, and Theodoret, that when Jovian declined to assume the empire—because, being a Christian, he was unwilling to rule over pagans—the army with one voice shouted, "We too are Christians." For that cry signified that many of them were Christians in heart and desire, not by open profession; otherwise Jovian would not have reproached them with paganism, nor would he have said that he was unwilling to rule pagans. Thus, if there were any Christians in

Julian's army, they were hidden and stained by sharing in sacrileges; they were reckoned as pagans. The same can entirely be said of Valens: although he had a few Catholics in his army, the multitude followed the errors of their prince. Nor was there any other reason why the Catholic emperor Valentinian tolerated his brother Valens, a heretic, except that it was not easy to cast him from the imperial throne without a dangerous and doubtful war.

Lastly Barclay appends two testimonies of the Fathers. One is St. Gregory of Nazianzus (Oration 1 against Julian), whose words are: "He was restrained by God's mercy and the tears of Christians, which already were many and shed by many, since they had no other remedy against the persecutor." The other is St. Augustine (on Psalm 124), who speaks thus: "Julian was an unbelieving emperor—was he not an apostate, unrighteous, an idolater? Christian soldiers served an unbelieving emperor. When it came to the cause of Christ, they recognized only him who was in heaven; when he wanted them to worship idols and offer incense, they preferred God to him. But when he said, 'Draw up the battle line, go against that nation,' they obeyed immediately. They distinguished the eternal Lord from the temporal lord—and yet, for the sake of the eternal Lord, they were subject to the temporal lord."

I reply: St. Gregory says there was no remedy against Julian's persecution except tears because the Church did not have the strength with which to resist his tyranny. Accordingly, God's kindness had to be implored with tears, because help could not be expected from any other quarter. Nor would St. Gregory have denied that political authority ought by right to be subject to the spiritual power of the pontiffs, since he left this very statement in express words in his Oration to a frightened people and an angry governor. Therefore here he speaks of the fact, not of the right. St.

Augustine rightly says that Christian soldiers served the unbelieving emperor Julian, because at the beginning of his reign he tolerated Christians; indeed he not only permitted Christian soldiers, but even allowed Catholic bishops whom the Arian Constantius had banished to return to their sees, as Rufinus reports (Book 1, Chapter 27). Later, however—as we cited from the Tripartite History—he compelled all either to sacrifice to idols or to leave the army; at that time Jovian and Valentinian preferred to cast aside the military belt than to sacrifice to idols; for which reason God, who repays a hundredfold in this life, shortly thereafter gave to both, in place of the military belt, the royal diadem. Barclay misinterprets the words "When it came to the cause of Christ." He says the cause of the Church is the cause of Christ; and therefore if it were lawful to depose an apostate emperor, Christian soldiers, at the Church's command, ought to have turned their arms against Julian himself. But St. Augustine interprets his own words when he adds: "When Julian wanted them to worship idols, they preferred God to him." This St. Augustine calls the cause of Christ. And although the cause of the Church is also the cause of Christ, Christian soldiers were not obliged to turn their arms against their emperor, even though he was an apostate and persecutor, unless first he had been judged an enemy. The Church, however, judged that he should rather be tolerated than provoked, since she did not have sufficient strength to depose him—as St. Thomas answers to this very argument (II–II, q. 12, a. 2).

CHAPTER EIGHT
WHY THE CHURCH DID NOT DEPOSE VALENTINIAN THE YOUNGER, AN ARIAN

In chapter 8 Barclay attempts to prove that the Church did not lack the strength by which she might have deposed the heretical emperor Valentinian the Younger. But he labors in vain; for Francis Romulus, whose argumentation Barclay undertook to refute, made no mention at all of that Valentinian. He knew it would have been easy for St. Ambrose to depose him—especially since Maximus, a Catholic prince, was already in arms to restrain the heretical Valentinian, and the whole city of Milan and even the soldiers themselves stood with Ambrose. Why then, you ask, did St. Ambrose tolerate the heretical Valentinian? The reason is obvious: Valentinian was a boy and began to persecute the Church not by his own judgment but by following his mother's authority. St. Ambrose hoped he could easily be brought to follow the faith and piety of his father Valentinian the Elder, of his brother Gratian, and of Theodosius, his colleague, all Catholic emperors. And this shortly came to pass: Valentinian repented and began to honor St. Ambrose to such a degree that he had no one he trusted more or held in higher esteem; finally he always regarded Ambrose as a father. Anyone who reads the oration delivered by St. Ambrose at the funeral of the emperor

Valentinian will recognize that all this is true. From this the reply is also clear to Barclay's objection about the emperor Theodosius, who embraced Valentinian when he fled to him, and, having routed Maximus, restored him to the empire.

"A noteworthy thing," says Barclay: "A heretic is routed by a Catholic; he flees to a Catholic for help; is both rebuked for his heresy and—out of reverence for Majesty—kindly received and restored to his kingdom. And because the Church did not praise rebellion for the sake of religion against a lawful prince, Maximus was called neither a reformer of the empire nor a restorer of the Church, but a rebel and a tyrant."

I reply: Theodosius most rightly undertook the defense of Valentinian against Maximus because he saw that the latter, led astray by his mother, could easily be brought back to the Catholic faith—which, as we have said, immediately happened; further, because Theodosius had been called by Gratian, Valentinian's brother, to a share in the empire, it was therefore fitting that he not abandon the brother of his benefactor and his colleague in the empire in such great peril; lastly, because Maximus had usurped the empire not chiefly on account of religion but out of the lust for rule, and had slain Gratian, the lawful prince. Thus Theodosius took up arms not against a defender of the Catholic faith, but against the murderer of an emperor and an unjust usurper of the empire.

Having explained these points, Barclay—exulting as though victory were won—says: "Since these things are so, let the adversaries stop trying to impose upon us with their fiction, or at least let them tell us where they found it."

I reply: What all the doctors and even the general councils have handed down cannot be called a fiction. And from where we derived it we have already shown more than once, and shortly we shall show more clearly.

Barclay subjoins: "It is clear that everyone in that age thought that no temporal power of any kind or for any cause belonged either to the Roman bishop or to the universal Church over princes, but that princes were to be left to the judgment of God alone so far as temporal penalties are concerned." Shortly after he says: "As a witness to this I bring forward Tertullian, who, speaking of emperors in the Apologeticus, says: 'They realize that there is God alone, in whose power alone they are, next to whom alone they are second, after whom first, before all gods and above all men'; and in the book To Scapula: 'We honor the emperor in such a way as both is lawful for us and benefits him: as a man second to God and whatever he has obtained from God—less than God alone. He himself will wish this; for thus he is greater than all, while he is less than the one true God alone.'"

I reply: It is false to say it is "clear" that everyone in that age thought that no temporal power in any way or for any cause belongs to the Roman bishop or to the universal Church over Christian princes. The authorities Barclay adduces are both very few and do not say what he asserts. Tertullian, whom he cites first, is speaking of pagan princes who ruled the whole Roman world and had not yet subjected their scepters to Christ. Therefore they could in fact be called "second to God" in the administration of temporal affairs. "But," says Barclay, "the law of Christ deprives no one of his right; therefore kings and emperors, by joining the Church, lose none of their temporal right." True: they lose nothing, but rather gain much, since they become not only temporal kings—just as they were before—but Christian kings. Yet if, in order to attain the heavenly kingdom, they must be subject to the Vicar of Christ so that it is no longer lawful for them to abuse their temporal power to their own and others' destruction, they ought not to take this ill.

Secondly Barclay brings forward Ambrose, who in the Apology for David speaks thus: "David was indeed a king; he was bound by no laws; for kings are free from the bonds of sins, nor are they subject to any laws for punishment, protected by the power of the empire."

I reply: Kings are free from political laws—both their own and those of their predecessors—because an equal has no power over an equal. They are not, however, free from the laws of God and of the Church, and we see this to have been common even to the kings of the Old Testament, like David. When King Uzziah wished to burn incense in the temple of the Lord—a function of the high priest—and would not yield to the priests when they rebuked him, he was immediately struck with leprosy and, by the judgment of the priests, was compelled to live apart and to cease from the administration of the kingdom, as is said in 2 Chronicles 26. Josephus adds (Antiquities, Book 9, Chapter 11) that from that time Uzziah lived as a private man and was consumed by long grief. In a similar way, when the Supreme Pontiff sees a Christian prince infected with the leprosy of heresy, he separates him from the assembly of the faithful by the sentence of excommunication and, lest he infect others, releases his subjects from the oath of fidelity and—if need be—commands, under the same penalty of excommunication, that they not regard him as king nor obey him as king.

Third, Barclay adduces Gregory of Tours as a witness, who, in Book 5 of his History of the Franks, Chapter 18, addresses the king with these words: "If any one of us, O King, should overstep the paths of justice, he can be corrected by you; but if you yourself should transgress, who will correct you? We speak to you, and if you wish, you listen; but if you do not wish, who will condemn you except the One who proclaimed himself to be justice?"

I reply: Gregory is speaking of the power which kings in fact have to compel private persons, and of the power which private persons do not have to compel kings. The king Childebert had accused Praetextatus of Rouen of treason before a synod at Paris, in which Gregory of Tours sat with many others; and since Gregory perceived that Praetextatus was innocent and was being oppressed by false witnesses suborned against him, he would by no means consent to his condemnation. Knowing that Gregory alone resisted him, the king said to him, "O bishop, you ought to grant justice to all; and behold I do not receive justice from you; but I see that you consent to iniquity, and that proverb is fulfilled in you that a crow will not pluck out a crow's eye." Then Gregory, wishing to show that it could not happen that someone should refuse to do justice to a king—since the king can force him to do justice—and that, on the contrary, it could happen that a king should refuse to do justice—since no one can force him to do it—answered with the words cited above: "If any of us … but if you yourself … who will condemn you?" That this is the meaning is clear not only from the preceding words but also from the outcome of the case. For when the king, by various arts and tricks, tried to extort from the Synod a sentence condemning Praetextatus and could not obtain it, he used force, threw him into prison, and when he tried to escape, had him severely beaten and sent into exile, as Gregory himself relates in the same place, and also Aimoinus (Book 3, History of the Franks, Chapter 26). Nor did the fury of Queen Fredegund—on whose behalf the king was doing all these things—end there; for when later Praetextatus was restored to his see by King Guntram, he was slain at the holy altar by an assassin through that same queen's deceit, as Gregory again bears witness (Book 8, Chapter 31). Praetextatus then began to be reckoned among the holy martyrs. This, then, is the power which kings have over bishops—namely, that by applying

force they may, if they wish, act unjustly against them; and which bishops do not have over kings: to compel them to obey even when they are justly condemned—unless they are helped by another, greater temporal power.

Fourth, Barclay cites the testimony of St. Gregory the Pope, who called himself the servant of the emperor and admitted that power was given from heaven to the emperor over all men. Enough has been said about this testimony in Chapter 3; there is no need to repeat it.

Finally he adduces Otto of Freising in a letter to Frederick Barbarossa, whose words are these: "Kings alone—inasmuch as they are placed above the laws and reserved to the divine judgment—are not restrained by the laws of the age. Hence that saying, as much the king's as the Prophet's: 'Against you alone have I sinned.' For although, according to the Apostle, it is dreadful for a mortal man to fall into the hands of the living God, yet it will be more dreadful for kings, who have none above themselves to fear except him alone, in proportion as they are able to sin more freely than others."

I reply: Otto of Freising clearly speaks of the laws of this world, by which kings are certainly not subject by coercive subjection. For not only does the cited passage say "they are not restrained by the laws of the world," but a little earlier Otto writes thus: "Furthermore, since no worldly person is found who is not subject to the world's laws and restrained by subjection, kings alone, as placed above the laws …" "But," adds Barclay, "according to Otto, kings have none above them to fear except God; therefore they are free not only from the laws of the world but also from the laws of the Church, at least as regards temporal punishment. Otherwise they would have above them the Supreme Pontiff to fear, and not God alone. Moreover, by Otto's judgment kings are reserved to the judgment of God alone;

therefore they are not subject to the Pope's judgment—at least in temporals."

I reply: Otto—being a Catholic and pious bishop—did not mean to say that kings are not bound by pontifical laws, or that they do not have above them the Vicar of Christ to fear, or that they are not subject to the Supreme Pontiff's judgment at least in spiritual matters and as regards spiritual penalties. If he had meant that, he would have been a heretic. Therefore, when he says that kings are reserved to the judgment of God alone and have none above them to fear except God, and that they are free from laws as being placed above the laws, a restriction must necessarily be understood—either on the side of the laws or on the side of the penalty. Barclay will gladly admit a restriction on the side of the penalty; but we say the restriction must be understood solely on the side of the laws. We prove this because in Otto's words the restriction is found on the side of the laws, when he says they are not subject to the world's laws and again that they are not restrained by the laws of the age; there is nowhere in his words a restriction on the side of the penalty—that is, a temporal one.

Moreover, Otto was not ignorant that Childeric the king was deposed by the Supreme Pontiff and that later the emperor Henry was deposed by Pope Gregory VII; he mentions both events in his History (Book 5, Chapter 23; Book 6, Chapters 34–36), nor does he condemn them; indeed he seems to approve when he praises Gregory VII with these words (Book 6, Chapter 34): "Having become the shepherd of the flock, he showed by example what he taught by word; and, a champion strong in all things, he did not fear to set himself as a wall for the house of the Lord." And (Chapter 36): "The Church suffered no small grief, being bereaved of so great a pastor, who among all priests and Roman pontiffs was of outstanding zeal and authority." Therefore the

sense of Otto's words is this: that kings are not bound by secular laws and, as regards those laws, are reserved to the judgment of God alone and, as regards those same laws, have no one above them to fear except God.

Because of these testimonies Barclay triumphs, saying: "If the upholders of the contrary opinion can produce so many testimonies of the ancients—or even a single one—in which it is expressly written that the Church, or its head the Supreme Pontiff, has that temporal power over kings and secular princes and can in some manner, directly or indirectly, coerce them with temporal punishments or deprive them of the whole or a part of their realms, I for my part will not refuse that the whole dispute be judged in their favor without appeal."

I reply: The authors produced by Barclay did not expressly write that Christian kings and princes cannot be coerced by the Church—or its head the Supreme Pontiff—with temporal penalties, directly or indirectly, or be deprived of the whole or part of their realms. And even if they had expressly written this, we could oppose to Tertullian, whom he himself adduced, St. Cyprian, who (Book 1, Epistle 3) commands that no dealings be joined with heretics—which St. Irenaeus, older than Tertullian, had previously taught (Against Heresies, Book 3, Chapter 3), saying: "So great a fear did the apostles and their disciples have that they would not even communicate in word with any of those who had adulterated the truth; as Paul also says: 'After one admonition, avoid the heretical man.'" In support of which we could adduce the testimonies of all the Fathers. From these it is clearly gathered that a heretical king, if it can be done, is not to be tolerated by the Church but excommunicated, and the faithful people removed from his obedience—lest they be forced to serve him whom they are commanded to avoid, nor be compelled to have dealings with him with whom they ought not even to hold

conversation. To St. Ambrose we would oppose St. Gregory Nazianzen, his contemporary, who, in his Oration to a frightened people and an angry governor, compared the spiritual power to the soul and the temporal to the flesh and taught that the temporal power ought to be subject to the spiritual as the flesh is subject to the soul. This is precisely the foundation of our position. To Gregory of Tours we would oppose Gregory of Rome, of the same age, who—as we said above—set down in two privileges those words: "If any of the kings, bishops, judges, or any secular persons shall violate the decrees of this apostolic authority and our command, let him be deprived of his honor." Finally, to Otto of Freising we would oppose Gregory VII, almost a hundred years earlier, who expressly wrote that the king of the age can, for certain causes, be deprived of his kingdom by the Apostolic See; see his letter to the bishop of Metz. We would also oppose St. Bernard and Hugh of St. Victor, who flourished in Otto's time, whose testimonies we produced in the preface; furthermore, St. Thomas and St. Bonaventure, who were not much later than Otto in time but far superior in doctrine and sanctity, most explicitly teach what Barclay demands, as their testimonies cited above show. Beyond these, we could oppose to Barclay's five witnesses more than seventy testimonies of writers of various ages; and finally to his five men we would oppose ten councils, two of which were undoubtedly general. Nor is less credence to be given to councils—especially general ones—because they are later; for the Church is the same, and the authority of councils is the same whether earlier or later. Just as at the Council of Nicaea, three hundred years after the Lord's coming, it was lawful for the Church to declare the Scriptures concerning the consubstantiality of the Son of God—especially that text "I and the Father are one"—so also after seven hundred years it was lawful for the same Church to explain the Scriptures

concerning the power of the Supreme Pontiff—such as "Whatever you bind on earth shall be bound in heaven; and whatever you loose on earth shall be loosed in heaven." If Barclay were willing to stand by his own pledge, the whole dispute would be finished without appeal.

CHAPTER NINE

WHETHER LATER PRINCES COULD, WITHOUT HARM TO THE PEOPLE, BE DEPRIVED OF THEIR PRINCIPATE BY THE AUTHORITY OF THE CHURCH; AND LIKEWISE, WHETHER THE SENTENCE OF GREGORY VII AGAINST THE EMPEROR HENRY WAS JUST OR UNJUST

In chapter 9 Barclay undertakes to show that the second part of Francis Romulus's position is false—namely, that the Church could, without harm to the people, deprive Childeric, Leo, and Henry of their kingdom or of a part of it. He proves this to be false, he says, because Pope Gregory VII did not depose the emperor Henry IV without great harm to the people, since—according to Otto of Freising—wars, schisms, and many other such things arose therefrom. But Francis Romulus was not speaking of Henry alone, but also of Leo and Childeric. It is established, however, that the emperor Leo the Isaurian was punished with the loss of part of the empire without any harm to the people; and manifestly the same is established concerning the deposition of King Childeric and the exaltation of Pippin—two examples to which Barclay had nothing to reply and therefore passed over them in silence and confined himself to Henry alone.

If we should add also the translation of the empire from the Greeks to the Franks, carried out by Pope Leo III without harm to the people, the triad of examples that Francis Romulus wished to bring forward would be complete. Since, however, Barclay preferred to censure Francis Romulus only for the deposition of Henry, as though he either were ignorant of history or lied for some other reason, I reply that the Christian people did indeed suffer some losses from Henry's excommunication and deposition, but the gains were greater than the losses—so that it can not unjustly be said that the matter was accomplished "without harm to the people." For he cannot be said to suffer harm who scatters seed-grain into the furrows, if at harvest he returns rejoicing with a multiplied yield. The holy and wise Pope Gregory saw the provinces full of concubinary clerics and of simoniacs; he observed that emperors, contrary to the sacred canons and especially the Eighth General Synod, had arrogated to themselves the investitures of bishoprics and monasteries. He set his mind to purify and to free the Church; and though through many hardships and dangers—partly by himself, partly by his successors—he brought what he willed to a happy end: he took concubines from the clergy; he procured that ecclesiastical benefices be given and received freely; and, what was most difficult of all, he recovered the investitures of churches—Henry V, son of Henry IV, freely renouncing them to Pope Callixtus II. The Abbot of Ursperg testifies in his Chronicle that this was not accomplished without manifest heavenly signs and prodigies.

But let us now examine in detail what Barclay, drawing from Otto of Freising and other authors, notes against Gregory VII. First, he adduces the words of Otto (Book 6, Chapter 35): "I read and read again the deeds of the Roman kings and emperors, and nowhere do I find that any one of them before this one (Henry IV) was excommunicated by the Roman Pontiff or deprived of

his kingdom—unless perhaps someone counts it anathema that Philip, for a short time, was placed by the Roman bishop among the penitents, and that Theodosius, by blessed Ambrose, on account of a bloody massacre, was excluded from the thresholds of the Church."

I reply: Otto of Freising was indeed distinguished in learning, morals, and nobility; but in his reading and rereading he did not find everything. For that the emperor Arcadius was excommunicated by Pope Innocent I because of the expulsion of St. John Chrysostom is attested by Nicephorus (Book 12, Chapter 34), who even recites verbatim the sentence of excommunication; Gregory VII also mentions this excommunication in his letter to the bishop of Metz. Likewise, that the emperor Leo the Isaurian was excommunicated by Gregory II and again by Gregory III because of the heresy of the Iconoclasts and was deprived of the revenues of Italy is attested by Greek and Latin historians, as we showed above.

Next, Barclay recounts from the same Otto the evils that befell the Church because of the excommunication of the emperor Henry IV—namely wars, schisms, the exile of the Pope, the killing of Rudolf, the emperor elected by Gregory, and other things of that sort. And, having listed these, he exclaims: "Is this to restrain a prince without harm to the people?"

I reply: When the Gospel of Christ began to be preached by the apostles in Jerusalem, a great persecution arose against the Church; Stephen was stoned; James was beheaded; Peter was thrown into prison; the faithful were scattered through various regions. And when the same Gospel began to be preached among the Gentiles, the whole Roman Empire was disturbed; very grave persecutions arose; goods were plundered; churches were burned; incredible slaughters of the saints were carried out throughout the whole world. I ask, then: was the Gospel preached to the

peoples with harm or with salvation? If the matter is considered with the eyes of the flesh, it will seem that the Gospel brought not salvation but ruin to the peoples; but if the same matter is viewed with the mind's eye, clarified by the light of faith, it will plainly appear that idolatry was driven from the world, the Church was propagated, the martyrs were crowned, and every good has come to us through the Gospel. Something like this—as we said a little above—befell the Church when Pope Gregory restrained the emperor Henry by excommunication.

Barclay goes on to censure Gregory's action with these words: "It may be that Gregory acted with good intention (God will judge the intention), but it cannot be that he acted rightly, prudently, and according to office; and who can doubt that he erred greatly by human habit and counsel when he attributed to himself what was certainly not his—namely, the power of deposing and removing the emperor and of putting another in his place?" And below: "Therefore the fault of Pope Gregory seems to me very great in this matter."

I reply: Barclay has pronounced bold judgment upon the Christ of the Lord—his own and all Christians' Judge. Nor does he speak with hesitation or suspicion or opinion, but pronounces flatly and absolutely, as though the matter were explored and certain, that it cannot be that Gregory acted justly and prudently in this case. But I show that Barclay's judgment is false and rash—not to say sacrilegious and blasphemous—by these arguments.

First, it is certain that Gregory's sentence was approved by all the bishops who sat with him in the Roman council. Who will believe that the Pontiff, together with an entire council, issued a sentence so unjust and imprudent as Barclay says?

Next, the judgment of Gregory VII was confirmed by all his successors—Victor III, Urban II, Paschal II, Gelasius II, and Callixtus II, in whose time peace was made between priesthood

and empire—and yet all saw the wars and schisms that arose on occasion of Pope Gregory's sentence. This is most certain proof that the sentence Gregory gave was just and prudent, since so many most prudent and most just popes, with councils of bishops cooperating and disregarding the persecution of schismatics, undertook to defend and confirm it.

Of Victor III, who sat immediately after Gregory, Leo of Ostia in the Monte Cassino Chronicle (Book 3, Chapter 71) testifies that he celebrated a council at Benevento and in it confirmed Gregory VII's sentence concerning investitures with this clause: "If any of the emperors, kings, dukes, princes, counts, or any secular power presumes to give a bishopric or any other ecclesiastical dignity, let him know himself bound by the chain of this sentence."

Of Urban II, the immediate successor of Victor III, Berthold of Constance, a contemporary historian, writes that in the Synod of Benevento in the year of the Lord 1091 Urban confirmed the sentence of excommunication against Guibert the Antipope and all his accomplices, the chief of whom was the emperor Henry; and that in the year 1095 he again confirmed the same sentence in the Synod of Piacenza before an innumerable multitude; and in the same year he confirmed it yet again in the general Council of Clermont.

Of Paschal II, immediate successor of Urban II, the Abbot of Ursperg bears witness, under the year 1102, that in a general Roman council Paschal confirmed Gregory VII's sentence and excommunicated Henry and all who adhered to him; the same Abbot adds that he was present at Rome and heard on Holy Thursday from the Pope's own mouth the denunciation of Henry as excommunicated.

Of Gelasius II, the immediate successor of Paschal II, the same Abbot of Ursperg testifies, under the year 1118, that

through Conon, bishop and cardinal of Palestrina, his legate, in councils at Cologne and Fritzlar, he confirmed Paschal's decree of excommunication of the emperor Henry.

Of Callixtus II, the immediate successor of Gelasius, the Abbot of Ursperg, as well as Suger in the Life of King Louis of France and Roger in the English Annals, attest that in the Council of Reims, with four hundred Fathers present, he again confirmed the synodal decrees of Gregory and of his predecessors Victor, Urban, Paschal, and Gelasius.

Third, the judgment of Gregory VII was approved by all good men who then lived and who could much better know the justice or injustice of that cause than Barclay, who is more than five hundred years later. Marianus Scotus, who lived in Gregory's time, says in his Chronicle for the year 1075: "Gregory, having heard the just complaints and cries of Catholics against Henry and the enormity of his crimes, inflamed with zeal for God, pronounced the said king excommunicated, chiefly on account of simony. This deed pleased Catholic men, but, to be sure, displeased the simoniacs and the king's supporters." He speaks not of one or two, but generally of the multitude of Catholics approving the Pope's deed.

Lambert of Schaffnaburg, who lived at the same time, in his History of German Affairs, writes: "The constancy of Hildebrand (Gregory) and his unconquered spirit against avarice excluded all the arguments of human fraud." And later: "The signs and prodigies which more frequently happened through the prayers of Pope Gregory, and his most fervent zeal for God and for the ecclesiastical laws, defended him against the venomous tongues of detractors." Thus he confounds not only the detractors of his own time, but also Barclay the detractor. Gregory would not have been so dear to God, nor would God have wrought so many miracles through him, if he had issued a sentence so unjust and

imprudent and had been the cause of so many evils, as Barclay says. The same Lambert recounts in the same place the horrible death of William, bishop of Utrecht, who slandered Gregory as Barclay later did: "Suddenly seized by a very grave sickness, with a miserable cry before all he exclaimed that by God's just judgment he had lost both his present life and the eternal, because he had most strenuously given his effort to the king for all the evil designs he intended and, hoping for his favor, had knowingly and deliberately hurled grave insults at the holy Roman Pontiff, a man most holy and endowed with apostolic virtues." St. Anselm of Canterbury, who lived at the same time, writes at the beginning of his treatise On the Fermented and the Unleavened to Waleran: "Let me speak briefly to one who knows. If I were certain that your prudence did not favor the successor of Julius Caesar and Nero and Julian against the successor and Vicar of the Apostle Peter, I would most gladly greet you as a most dear and venerable bishop." He compares the emperor Henry to Julius Caesar, the oppressor of the commonwealth, to Nero, the persecutor of the Church, and to Julian the Apostate and persecutor; and he did not dare even to greet as a friend Bishop Waleran, whom he thought favored Henry against Gregory—which certainly he would not have done if he had believed Gregory's sentence against the emperor unjust. The same Anselm, in Epistle 8 to William, defends Gregory's sentence and plainly pronounces it just. St. Anselm, bishop of Lucca—most holy and famous for miracles—wrote a letter to Guibert the Antipope, whom the emperor Henry had set up against Pope Gregory, in which he marvelously praises Gregory. He also wrote an Apologetic in defense of Gregory against that same Guibert, where, among other things, he refutes the argument used by Barclay today and by the Antipope and his accomplices then—namely, that Gregory had been the cause of the disturbances and

of the blood shed especially in Saxony; and he says that blood cried out against Gregory and his followers, of whom this holy Anselm was one. He speaks thus (Book 1 of the Apologetic): "It is not against us that the blood of the Saxons cries out, but against you—together with the whole world, which shuddered at the pollution of your crime. Heaven cries out, earth cries out, the whole Church of the just cries out—both that which is still a pilgrim and that which already reigns with Christ; Christ cries out, the Father cries out for the sake of the Son's spouse, the Holy Spirit cries out who daily pleads for her with inexpressible groans." He rightly says that those disturbances and wars are not to be attributed to Gregory, who—as was his pastoral office—strove to keep wolves away from the flock, but to the disobedience and obstinacy of those who raged all the more savagely against the shepherd and the flock, the more humbly they ought to have obeyed God and his Vicar warning them and advising them for their good.

How horrendous and intolerable Henry's crimes were may be understood from the following testimony. St. Gebhard, archbishop of Salzburg—who died three years after the death of Gregory VII, that is, in 1088—contending with Wezilo, archbishop of Mainz, openly declared that the emperor had been deprived both of his kingdom and of communion by the apostolic sentence with no unjust judgment. This sentence was so approved by a certain council that the contrary sentence of Wezilo was called heresy; see the Abbot of Ursperg in the Chronicle under the year 1085. Stephen of Halberstadt, a contemporary author, in a letter to Waleran—reported by Dodechinus, the continuer of Marianus Scotus, under the year 1090—writes: "Lord Henry, whom they call king, sells bishoprics and abbeys—indeed the sees of Constance, Bamberg, and Mainz, and many others for money; Regensburg, Augsburg, and

Strasbourg for the sword; the abbey of Fulda for adultery; and the bishopric of Münster (which it is a horror to say and to hear) for sodomitical filth." And later: "For these abominable evils, excommunicated by the Apostolic See, he will be able to hold over us—because we are Catholics—neither the kingdom nor any power." Leo of Ostia, bishop and contemporary author, writes many things in the Monte Cassino Chronicle about Gregory VII's justice, wisdom, zeal, and other virtues. In Book 1, Chapter 53, he also recounts a heavenly vision by which God himself attested that Gregory's deeds—which Barclay, following the ancient schismatics, has dared to disparage—were pleasing to him. Someone saw a most shining dove above Gregory as he celebrated the sacred mystery of the Mass; and when the seer hesitated to disclose what he had seen, he was divinely ordered to reveal it with these words: "Go quickly and tell this to the Pope's ears, that he may firmly carry out, by the power of the Holy Spirit, what he has begun." Berthold, a contemporary presbyter of Constance in his Chronicle, writes many things for the justice of Gregory VII's cause; among others he recounts about Imbrico, bishop of Augsburg: "Imbrico, who at the previous Easter had sworn fidelity to King Rudolf, caring nothing for perjury, adhered to Henry when he came; and on a certain day, saying Mass before him, the wretched man set this condition for himself—that the reception of the sacred oblation might turn to his judgment if his lord Henry unjustly usurped the kingdom. After this rash reception he never again, during the short time he survived, rose sound from his bed; for about the kalends of July he died without ecclesiastical communion." These are seven authors who lived in Gregory's time, to whom I add four others who flourished not long afterward. William, bishop of Tyre, in Book 1 On the Holy War, Chapter 13, speaking of the emperor Henry's perverse conduct, says: "The Lord Pope, considering that this was done

against all decency and perceiving that ecclesiastical rights were trampled underfoot by that deed, admonished the same emperor once, twice, and thrice to desist from such a detestable presumption; and when he could not recall him, he bound him with the chain of anathema." Otto of Freising—as we noted above—confessed that Gregory VII was a most holy man (Book 6, Chapters 34 and 36; Book 7, Chapter 1). A man so holy could not publicly have pronounced an unjust sentence, nor did he ever retract it—as indeed he did not retract it, as is clear from those words which, as Otto himself testifies (Book 6, Chapter 36), Gregory uttered when dying: "I have loved justice and hated iniquity; therefore I die in exile." Dodechinus, the continuer of Marianus Scotus, in the Chronicle for the year 1096, says: "It is manifest that Henry was justly condemned by the Church as a perverse man; for he sold all spiritual things." And under the years 1090 and 1093 he recounts so many and such horrible crimes of Henry that it is a wonder if anyone dares affirm that he was unjustly condemned—yet Barclay boldly affirms it. The Abbot of Ursperg, under the year 1106, narrates Henry's sudden and most miserable death for himself and most joyful to all others: "It is pitiable to tell that a man of such name, such dignity, and such courage—who had won the world so much under the profession of Christ—did not merit, at least like any poor man dying, a pious or compassionate tear from any person among so many Christians; but rather the hearts and mouths of all true Christians—both there and everywhere—were filled with excessive joy, forgetting themselves. Not more loudly did Israel sing to the Lord when Pharaoh was drowned, nor did Rome applaud more the triumph of that Octavian or of any of the Augusti. For the bridle that had been in the jaws of the peoples was turned into a song for them, like the voice of a sanctified solemnity." This alone ought to be sufficient to stop the mouth of

Barclay, who speaks iniquity. How, if Henry was oppressed by an unjust sentence of Gregory, did no one in the whole Christian world appear to lament his death—indeed, did not everyone rejoice most vehemently, as Israel of old at Pharaoh's drowning or the Roman people at the triumph of a prince? Was there no one in the whole world who perceived Henry's justice? No one who saw Gregory's injustice? But let us hear what the same writer says shortly thereafter: "This was the end, the destruction, the final lot of Henry—called by his people the fourth Roman emperor; but by Catholics—that is, by all who, according to the Christian law, keep faith and obedience to blessed Peter and his successors—he was rightly called an arch-pirate and heresiarch and apostate, and a persecutor of more souls than bodies; for he is reported not to have been content with natural and customary crimes, but to have invented and practiced new and unheard-of crimes; hence some are incredible." Let this suffice; for if I wished to bring forward later authors in favor of the justice and sanctity of Gregory, there would be no end. Let the reader see what we wrote in Book IV On the Pontiff, Chapter 13.

Barclay goes on and tries to show that Henry ought not to have been excommunicated by Gregory, since so great a number of men had joined in fellowship with Henry's crime. To prove this he adduces the judgment of St. Augustine (Against the Epistle of Parmenian, Book 3, Chapter 2), which is reported in Gratian's Decretum (23, q. 4, c. Non potest): "Correction from many cannot be salutary unless the one corrected does not have a multitude for companion. But when the same disease has seized many, nothing else remains for the good but sorrow and groaning, that by that sign which was revealed to holy Ezekiel they may merit to be spared from their devastation; lest, when they wish to gather up the tares, they root up the wheat along with them; and lest, in their zeal, they purify the Lord's harvest,

but by their rashness they themselves be counted among the refuse." And a little later: "Truly, if the contagion of sin has invaded the multitude, the severe mercy of divine discipline is necessary; for counsels of separation (that is, of non-communion) are both vain and pernicious and sacrilegious, because they are impious and proud, and they disturb weak good men more than they correct spirited evil men."

"Since these things are so," says Barclay, "no one, I think, comparing the doctrine of St. Augustine—which is the Church's—with what Gregory did against Henry, will fail to perceive clearly that the Pope erred greatly," and so on.

I reply: Barclay's rashness betrays itself in every way, since, on the basis of a single passage of St. Augustine not well understood, he dares to condemn the synodal sentence of the Supreme Pontiff—confirmed by many other pontiffs and councils—saying that the Pope erred greatly. But let us show that it was not the Pope who erred in judging, but Barclay who erred in understanding.

First, St. Augustine speaks of the correction—or excommunication—of one who has many companions in the same crime, as is clear from the words: "When the same disease has seized many," and from these: "Therefore the Apostle, when he had found many stained with uncleanness by luxury and fornication," etc. But Gregory excommunicated one Henry for crimes proper to him alone—namely, that he sold bishoprics and abbeys and, when admonished, refused to repent. Therefore the passage from Augustine—or from Gratian—does not apply.

Next, St. Augustine is speaking against Parmenian and the other Donatists, who had separated themselves from the universal Church and declared that they alone were the Church without spot or wrinkle. He teaches, therefore, that separation is not to be made on account of the multitude of sinners, since evil men will always be with the good until the end of the world. For

then (Matt. 13) "the angels will go out and separate the wicked from the midst of the just." This is the reason why St. Augustine says that such counsels of separation are not only vain and dangerous, but sacrilegious and proud: because those who so separate assume for themselves the office of God, who alone can separate all the good from all the evil—which will be done on the last day. Meanwhile, good fish must be in the same net with bad fish; grain must be on the same threshing floor with chaff; and tares must be in the same field with the wheat. Gregory, however, assumed nothing of this sort to himself, but only wished by ecclesiastical censure to restrain a man who was publicly guilty of many and intolerable crimes.

Third, the Lord's saying in Matthew 13, "Let both grow together until the harvest," is not to be understood as though it were forbidden to purge away tares by excommunicating the incorrigible, by executing malefactors, by burning heretics, by pursuing robbers and other pests of the Church or of the commonwealth. Otherwise David would have sinned, who says in Psalm 100: "I was destroying all the sinners of the land." All princes would be sinning who daily hang thieves and robbers and highwaymen and, the more they find them to be numerous, with the greater diligence and heavier punishments strive to destroy and root them out. Pope Innocent III would have sinned when, with the Lateran Council, he excommunicated all heretics, although he was not ignorant that they were many. The Catholic princes would have sinned who subdued the heretical Albigensians—almost without number—with arms and destroyed them to the point of extermination. Therefore, when the Lord says, "Let both grow together until the harvest," it may be that our Lord was speaking not so much by way of command as by way of foretelling what would be. He signified that the evil would always be with the good and that men would never, by any

diligence, bring it to pass that all evil men be separated from all good men—until the day of judgment; then he will send his angels, who will separate the wicked from the midst of the just. This is like that expression in Isaiah 6: "Hear, and do not understand; see the vision, and do not know; make the heart of this people fat" —which the Lord explains in Matthew 13: "You shall indeed hear and not understand; and seeing you shall see and not perceive; for the heart of this people has grown dull," etc. And the Apostle in Acts 28, citing the same passage of Isaiah, says: "You will indeed hear and not understand, and you will see and not perceive; for the heart of this people has grown dull," and so on. Thus Isaiah's words, "Hear, and do not understand," signify "You will hear and not understand"; and "Make the heart of this people blind" signifies "The heart of this people will be blinded," or—as St. John explains in Chapter 12—"The heart of this people has been blinded." In this manner St. Augustine—in his exposition of the Psalms—teaches that all those imprecations expressed in the imperative mood ("Pour out your wrath upon the nations," and the like) are to be understood as predictions, not as curses. Similar expressions are found in the Gospels: John 2, "Destroy this temple," that is, "You will destroy it," or "I will allow you to destroy it"; Matthew 23, "Fill up the measure of your fathers," that is, "You will fill it," or "I will permit you to fill it"; John 13, "What you do, do quickly," that is, "What you intend in your mind—to betray me—you will accomplish sooner than you think, and that with my permission." Thus, "Let both grow together until the harvest," seems to mean: "You will allow—whether you will or not—both to grow together until the harvest; for with all your diligence you will never bring to pass that the many evil be not mixed with the good until the day of judgment; then I will send my angels, who will separate the wicked from the midst of the just."

Fourth, I approve the opinion of those who say that in this parable the separation of the wicked—whether heretics or other evildoers—is prohibited not absolutely, but when there is danger that, together with the tares, the wheat be uprooted—that is, that the pious be entangled with the impious; otherwise it is lawful to uproot the tares when there is no danger that the wheat be uprooted and when, on the contrary, there is a danger that, by the mixture of tares, the wheat be corrupted. But this judgment does not belong to just anyone, but to the "householder," that is, to him whom Christ has set over his household. Therefore it did not belong to Barclay to judge whether Gregory VII acted rightly when, by excommunicating Henry, he took care to have a portion of the tares uprooted; it belonged to the Supreme Pontiff to chastise Barclay's rashness—had Barclay still been alive.

In the last place Barclay adds arguments from the history of Sigebert in order to prove that Pope Gregory greatly erred in what he did against the emperor Henry. Sigebert says in his Chronicle under the year 1085: "Pope Hildebrand—who is Gregory VII—died in exile at Salerno. Of him I found it written thus: 'We wish you to know, you who are solicitous for ecclesiastical care, that Lord Apostolic Hildebrand, that is, Gregory, now at the point of death, called to himself one of the twelve cardinals whom he loved greatly above the rest and confessed to God and to St. Peter and to the whole Church that he had sinned greatly in the pastoral care committed to him for governance and that, at the devil's prompting, he had stirred up anger and hatred against the human race. Then at last he sent the aforesaid confessor to the emperor and to the whole Church to beg his pardon, because he saw the end of his life and was so soon to put on the angelic garment; and he released and dissolved the bonds of all his bans upon the emperor and upon all the Christian people—living and dead, clerics and laymen—and

ordered his own followers to leave the house of Dietrich and the emperor's friends to come.'"

I reply: Sigebert, as Trithemius testifies in his Catalog of Writers, was one of the followers of the emperor Henry; therefore he deserves no credence. Without doubt what he writes here is false, since he has no reliable source, or at least does not dare to indicate it. We, however, have a sure and trustworthy author who writes that shortly before his death Gregory said, "I have loved justice and hated iniquity; therefore I die in exile"—words entirely contrary to what Sigebert writes; for in these Gregory says he acted justly, in those that he sinned gravely. The words are found in Otto of Freising (Book 6, Chapter 36). Berthold, in the Chronicle under the year 1085, and Leo of Ostia, in the Monte Cassino Chronicle (Book 3, Chapter 64), describe Gregory's death and show that he remained in the same constancy to his last breath and, both living and dead, was famous for great miracles. Moreover, the confirmation of Gregory's sentence against Henry—which we have shown above was carried out by five of his successors, Victor III, Urban II, Paschal II, Gelasius II, and Callixtus II—most clearly shows that the story Sigebert wrote about Gregory's repentance is a fable. Finally, Sigebert's narrative contradicts and refutes itself. For if Gregory admitted that he had grievously sinned in his pastoral care and, at the devil's prompting, had done what he did, how could he in the same place so boldly assert that he would soon put on the angelic robe? Surely, for so grave a sin he ought to have expected—not the angelic robe—but the pains of hell or of a severe purgatory.

CHAPTER TEN
THE OPINION OF OTTO OF FREISING CONCERNING THE JUDGMENT OF POPE GREGORY VII IS EXAMINED.

In the tenth chapter Barclay takes up again a matter already treated. He returns, in fact, to prove from the authority of Otto of Freising that it was not lawful for Pope Gregory to deprive the Emperor Henry either of communion or of his kingdom. First, he repeats what above he had cited from Otto, Book IV, chapter 35: "I read and reread the deeds of the kings and emperors of the Romans, and nowhere do I find any one of them before this man excommunicated by a Roman Pontiff or deprived of his kingdom." Then he adds from Book I of the Deeds of the Emperor Frederick, chapter 1, that it seemed something new to Otto of Freising that the Emperor Henry had been struck by the Roman Pontiff with the sword of anathema. But to these points we replied in the preceding chapter, and we showed clearly that these things were not new.

He adds that one can gather that the sentence of Gregory was unjust from the fact that Otto of Freising in the same place (that is, Book VI, chapter 17) writes that, among other evils, the following came about by decree of Gregory: that a pope was set

over a pope, and a king over a king. "By which words," says Barclay, "Otto shows that both were done by an equal right—or rather by an equal wrong—so that, just as a pope was unjustly placed over a pope by the emperor, so also a king was unjustly placed over a king by the pope."

I respond: Otto does indeed write that, on the occasion of Gregory's decree, the result was that a pope was placed over a pope and a king over a king; but Otto does not say—nor could he have said—that both were done with equal right or with equal injustice. For it is legitimate authority—that of the Head of the Church—that can set a king over a king; it was the disobedience of a schismatic king that set a pope over a pope. As to the claim that by right the emperor can depose a pope and set another over him, I do not know whether Barclay could find even a single Catholic man who has either said or written that. That the pope can excommunicate the emperor and depose him for just causes, however, very many Catholic authors have written; the same has been affirmed by many general councils. We reported their testimony in the prolegomena of this book and touched on some of it in the preceding chapter. Thus Otto lists the evils that arose from Henry's excommunication and his disobedience; but he does not determine whether those things were just or unjust. Some evils can be evils and yet just—such as the evils of punishment—and Henry's deposition was of that sort. Others can be evils and unjust—such as the evils of fault—and such was the creation of the Antipope Guibert, procured or effected by the emperor.

Barclay proceeds and weighs those words of Otto of Freising from the same Book VI, chapter 36: "Since, therefore, in the person of its prince the kingdom was grievously smitten, cut off by the Church, the Church too, bereft of so great a Pastor—who among all priests and Roman Pontiffs was of outstanding zeal and

authority—suffered no small sorrow." "What," says Barclay, "does this sound like, except that on account of the empire violated in the person of its prince, the Church was violated in the person of the Pontiff; or, because the kingdom was struck down in the person of the prince, the Church was struck down in the person of the Pontiff? And since he makes no distinction of right or wrong between these things, and both cannot be done justly, it follows that he judged both to have been done unjustly."

I respond: Barclay did not understand Otto's words. Otto is not speaking of the deposition of Gregory from the pontificate—as he does speak of Henry's deposition from the empire. Rather, he says that the empire was struck in the person of its prince because the prince was excommunicated and deposed; but that the Church was struck in the person of the Pontiff because, by his death, he was taken away from men and left the Church great sorrow. Therefore Barclay does not rightly infer that there was injustice both in the striking of the empire in the person of the prince and in the striking of the Church in the person of the Pontiff. For Henry was deposed from the empire by a sentence of the Church, in which sentence there was no place for injustice, and it is sufficiently clear that that sentence was most just. Gregory, however, died by natural disease. If there be any place here for injustice, then God must be called unjust—which is an enormous blasphemy. For Gregory was not slain by Henry, as Henry was deposed by Gregory; rather, as we have said, he died piously and religiously by natural illness. But after original sin, natural death is from God; for He pronounced that sentence—and a most just one: "Dust thou art and to dust thou shalt return" (Gen. 3). Of God it is said: "The Lord kills and makes alive" (2 Kings 2); and in Wisdom 16: "Thou, O Lord, hast power of life and death"; and in Sirach 11: "Life and death are from God." Nor can one say, according to Otto, that Pope Gregory was slain by

God as a penalty for a sin committed in the deposition of the emperor. For the same Otto admits that Gregory was a man of outstanding zeal; but even if Gregory had been slain by God for the punishment of sin, still his death could not be called unjust unless injustice were attributed to God.

Barclay goes on and tries to prove from Otto of Freising, Deeds of Frederick Book I, chapter 6, that the deposition of the emperor by Gregory was unjust, because Otto calls the defection of Rudolf, duke of Swabia, from the emperor a rebellion. But "rebellion" is said when an inferior deserts a superior; the emperor would not have been the superior if he had been rightfully deposed; therefore, according to Otto, he was not rightfully deposed. He proves the same from Book VII of the History, chapter 8, where Otto of Freising calls Henry IV "emperor" even after his deposition.

I respond: One is said to rebel not only when he deserts a legitimate prince, but also when he deserts a prince who rules de facto, even if not de jure. In like manner one is called a king not only when he reigns by right but also when he reigns in fact. Writers do not always keep the strict propriety of terms, so as to call no one a king except him who reigns lawfully, nor to say that anyone rebels except him who deserts a legitimate prince. In 2 Kings 18 it is counted among the praises of the best king Hezekiah that he "rebelled" against the king of Assyria, where "rebellion" means defection from a king who was not legitimate. Likewise, in 2 Kings 9, Jehu, made king at God's command while King Joram was still alive, is said to have conspired against his lord and to have slain him with all his offspring; there "conspiracy," which is something more than simple rebellion, is taken in a good sense, for he conspired against a king deposed and condemned by God. For this reason the Lord said to Jehu in 2 Kings 10: "Because you have diligently executed what was right

in my eyes, and have done unto the house of Ahab according to all that was in my heart, your sons to the fourth generation shall sit upon the throne of Israel." We have, then, no reason to marvel that Otto of Freising calls "rebellion" the defection from a king already deposed, since we have the same way of speaking in divine Scripture.

We can say the same about the title of "king." In 2 Samuel 15, when Absalom, David's son, after expelling his father, began to reign in Jerusalem—though he was not a legitimate king but truly a tyrant—David himself nevertheless calls him "the king," when he says to Ittai the Gittite: "Why do you come with us? Return and abide with the king." So also in 1 Kings 16 (Vulgate 3 Kings 16), when Zimri, having slain the legitimate king, most unjustly usurped the kingdom for himself, Scripture nevertheless says: "So Zimri went in and struck him down and killed him (King Elah), and reigned in his stead; and when he had reigned and sat on his throne, he smote all the house of Baasha," etc. And lest it seem great to Barclay that Otto of Freising calls Henry "emperor" even after excommunication and deposition, let him know that the same name is found in Abbot of Ursberg and other writers, indeed even in Leo of Ostia himself, who was most devoted to Gregory VII. For in Book I of the Cassinese Chronicle, chapter 49, Leo of Ostia calls Henry "emperor" more than ten times; and, as Leo reports, Abbot Desiderius—who succeeded Gregory in the pontificate—very often calls that same Henry "emperor" after his abdication, for no other reason than that in reality, though not by right, he exercised imperial power.

Barclay continues and says: "There is another passage of the same author, Book I of the Deeds of Frederick, chapter 8, in which he makes the matter even clearer—namely, that the Pope, by that excommunication and abdication, took away from Henry no right of kingship. For after he had recounted that Bertolf,

Rudolf's son-in-law (whom, as has been said, the Pope had created king), after his father-in-law had been killed, usurped the duchy of Swabia as though it had been granted to him by his father-in-law; and that on the other side Henry, though deposed by the Pope's judgment, granted the same duchy to a certain noble of Swabia named Frederick—who forced Bertolf to agree to terms of peace and to resign the duchy with a clod—he adds that this Bertolf, although in this affair he yielded both to the empire and to justice, is nevertheless said to have been most vigorous and brave. See how without any circumlocution he affirms that both the empire and justice were on Henry's side, against whom the Pontiff long before had pronounced a sentence of deposition."

I respond: Here Barclay brings forward a witness who is suspect. From that Frederick was descended the Emperor Frederick I; and Otto of Freising was not only Frederick's paternal uncle but also the grandson of Henry IV. Thus Otto, in order not to harm his maternal grandfather, Emperor Henry IV, and his half-brother's son, Emperor Frederick I, wrote that Bertolf yielded both to the empire and to justice in the matter of the duchy of Swabia. This is also the reason why Otto chose a middle way in his history: he highly praises Gregory VII in Book VI, chapter 34—for in conscience he could not censure a man of most manifest sanctity; yet he does not make Henry guilty, as other historians do, of the most shameful and numerous crimes, but very moderately notes his excess and dissolute life (Book VI, chapter 11). But the fact that he says here that Bertolf yielded to the empire and to justice does not force us to think that Otto held Henry to have been unjustly deposed by Gregory. As Otto himself narrates, after a long dispute Frederick, aided by the emperor, compelled Bertolf to agree to terms of peace—namely, that Bertolf should retain Thurgau, the most noble town of Swabia, and surrender the rest of Swabia to Frederick. Bertolf

therefore yielded to the empire as to the more powerful party to whom he could not be equal; he also yielded to justice, because, in a doubtful matter, he judged it fair to concede the remainder to the stronger while retaining the title of duke and the most noble town. For if Bertolf had thought that Swabia had been unjustly held by him, he ought to have given up the whole and retained neither the principal part nor the title of duke—which, as the same witness Otto says, he retained and handed down to his posterity. And if Barclay wishes that Otto thought Henry had been unjustly condemned by Gregory, he will be contradicting Otto himself, who in Book VI, chapter 34, says that Gregory was a stalwart champion in every respect, and that he did not fear to set himself like a wall for the house of the Lord; and in chapter 36 he says that it was fitting that the emperor be struck with the sword of anathema; and in the same place he reports that Gregory said at his death: "I have loved justice and hated iniquity"; and that the Church, at the death of so great a Pastor—who among all the Roman Pontiffs was of outstanding zeal and authority—had no small sorrow; and in Book VII, chapter 1, he says: "After the death at Salerno of Gregory of blessed memory, the Supreme Pontiff," etc. These statements do not cohere in any way with a judgment of grievous injustice—such as the deposition of the emperor would have been if Gregory could not justly depose him. For this sole injustice would without doubt have corrupted all Gregory's praises.

Finally, because he had nothing else to bring from Otto and yet could not keep silence, Barclay repeats what he had said above: that according to Otto kings recognize no one over themselves but God alone. He repeats also, with very many words as above, his lament that many evils broke upon the world, and especially upon the Church, on the occasion of Henry the emperor's excommunication. To all of which we have already

replied, and we are not inclined to repeat the same things again without purpose.

At the end of the chapter he brings forward the words of Gregory VII which, when he deposed Henry, he uttered in prayer to the Apostles Peter and Paul, asking them to confirm the sentence he had pronounced by their authority, so that all might understand that the man of iniquity fell from the empire not by chance but by their action. Barclay says that this prayer was not heard by the Apostles, since nothing but misfortune befell the Pontiff and the party of the pontiff—its leaders and supporters—whereas Henry in the meantime triumphed and held the empire.

I respond: Gregory's prayer was altogether heard, as is attested by the great calamities by which Henry was divinely oppressed. First, abandoned by a great part of Germany, he was compelled to cast himself at the Pontiff's feet and beg mercy with the humblest prayers. Then he long contended, and with uncertain outcome, against two rivals, Rudolf and Hermann. Later he was handed over to prison by his own son and forced to resign the crown, the scepter, and the other ensigns of empire. Having escaped, he withdrew to Liège, whence he testified to his incredible misery in letters of his own which exist in Abbot Ursperg's chronicle. Finally, snatched away by sudden death, he found no one to grieve over his passing; on the contrary, the whole world rejoiced greatly over his unhappy end, as we reported above from Abbot Ursperg. Such, forsooth, is the "triumph of Henry" that Barclay imagines. Moreover, it is clear from what all historians—and especially the Abbot of Ursberg in the Chronicle under the year 1120 and following—relate concerning Callistus II and Henry V, that the papal party always advanced for the better with the Lord cooperating by signs and wonders, and in the end completely prevailed.

CHAPTER ELEVEN
ON THE COMPARISON OF JULIUS II AND CLEMENT VIII

In chapter 11 Barclay repeats many of the things he had said before, and adds nothing that seems to require a new reply, except when he extols Pope Clement VIII with true praises—not so much to praise him as to carp at Julius II by comparison. "Who," he says, "would not think Clement VIII's fatherly piety, joined with the highest prudence—by which he endeavors to bring back Christian kings and princes to concord and to keep them in concord—infinitely more useful to the Church than the martial rages of armor-clad Julius II, by which he impiously and inhumanly strove to set Italy, France, Germany, Spain, and the other Christian peoples against one another with hostile minds?"

To answer this I wish first to remind readers that Roman Pontiffs, who are also temporal princes of no contemptible dominion, are no less bound by office to preserve what belongs to the Apostolic See—that is, to the Roman Church—than are other princes to preserve what is theirs. Therefore, just as kings and other supreme princes can and ought to wage war for the defense of their realms or other dominions; and if they need confederation with other princes for their defense, they can rightly enter into alliance with friendly princes and with united

forces drive back the enemy when they have a just cause for waging war: so also the Roman Pontiffs, inasmuch as they are supreme princes, can and ought by every right to protect with arms the peoples entrusted to them, and, if the situation requires, wage war against enemies, and likewise summon other princes to give aid or to share in the war. Nor was Julius II the first who waged war to recover the provinces of the Roman Church or who struck a league with great princes. Long before, Pius II had armed an army and conducted wars with praise against the enemies, as Nauclerus and Platina report; and before the times of Pius II, Innocent VI—a man illustrious for prudence and innocence of life—through his legate, Cardinal Albornoz, most successfully recovered by arms the ecclesiastical dominion that had been seized by various tyrants, as the same Nauclerus and Platina and many other historians write. Clement IV—who preceded Innocent VI by many years and is a Pontiff recognized as a saint—summoned from France Charles of Anjou, duke and brother of St. Louis, king of the Franks, in order that by arms he might expel the tyrant Manfred from the kingdom of Naples, which is a fief of the Roman Church; he established Charles as king, imposing an annual pension of forty thousand gold pieces to be paid in recognition of the fief—witness the same and other authors whom they cite. But before these times, Pope Leo IX, illustrious not only for probity of life but also for divine miracles and numbered among the Saints, himself took the field in arms against the Normans to recover the city of Benevento, as Hermannus Contractus in his Chronicle and Leo of Ostia in the second book of the Cassinese history, chapter 88, attest. There occurred there the memorable event that when the Pontiff had been defeated and captured by the Normans, the victors treated the vanquished with such submission and reverence that the Pontiff, though beaten and captured, seemed to command and

rule the victors. Moreover, Pope Leo IV—more than two hundred years earlier than Leo IX, a most holy man and illustrious for miracles, as Anastasius testifies in his Life—led an army against the Saracens, who, with a huge fleet, had landed at the mouth of the Tiber and desired to seize and spoil the city of Rome; and after prayer to God and the army fortified with the Apostolic blessing, he won a memorable victory. I omit the confederations of Zachary, Stephen II, Adrian, Leo III, and other pontiffs with the kings of the Franks for the recovery and defense of the provinces and cities that belonged to the Roman Church against the Lombards and the Greeks. I also omit the most valiant Maccabees, who were both High Priests and princes, and who waged most grievous wars for the defense of their country. I omit, finally, Moses—the most wise Pontiff and Prince—who did not hesitate to fight with arms against the Amorites and other disturbers of his people. Julius II, imitating these most illustrious and sacred men and emulating their virtue and diligence, recovered, partly by his own arms and partly with the aid of confederate kings, the ecclesiastical dominion that had almost entirely been lost, and did so with great toil. Whoever would censure that deed must also censure the industry and valor of the holy Pontiffs, and I add also the warlike virtue of the Maccabees and of Moses himself. Nor should Clement VIII be removed from this number: for just as he strove, as Barclay says, to restore peace among Christian princes, so too he did not neglect to gather an army when Ferrara had to be recovered; and what prevented him from waging war for the ecclesiastical dominion was not lack of will but lack of occasion. For it pleased God—in whose hand are the hearts of princes—that the most noble city should return to the Church before the swords of soldiers were unsheathed. Barclay did not ignore this praise of Clement VIII, but he chose to pass it over, so that he might more freely criticize Julius.

CHAPTER TWELVE
THE ARGUMENTS AGAINST THE THEOLOGIANS' POSITION CONCERNING THE POWER OF THE SUPREME PONTIFF IN TEMPORAL MATTERS ARE ANSWERED

In chapter 12 Barclay attempts expressly to assert and demonstrate that the Supreme Pontiff has no power over temporal matters in relation to kings and other Christian princes.

His first argument is that all Christian antiquity has always judged that kings are inferior to God alone. He had already proposed that argument in chapter 8, where we answered him at length. It is a particular property of this author to repeat the same arguments again and again—perhaps to make his book larger, or by importunity to obtain assent which he cannot extort by the force of reasons. Let us therefore pass over this first argument and hear the second.

"What," he says, "of the fact that the Pontiffs themselves admit that kings have no superiors in temporal matters? Cap. Per venerabilem 'Qui filii sint legitimi.' 'They both have and have not' cannot be true at the same time. Therefore it is false that kings have no superior in temporal matters, if another can by right take temporalities from them and confer them on another."

I respond: The Pontiff's meaning in that chapter is that kings are supreme temporal princes and therefore have no temporal prince above themselves—just as dukes and other lesser princes within the same realm have in temporal matters the king above them as their superior. Thus Ecclesiastes 5 says: "Over the high one there is one higher, and over these also there are others higher still; and the king is lord over the whole land that is subject." And St. Peter in the First Epistle, chapter 2: "Be subject to every human creature for God's sake: whether to the king as excelling, or to governors as sent by him." Therefore the meaning is the same as saying that a king has no other king or temporal prince above him; otherwise he would not be the supreme in the order of temporal or political principate. This is likely why the same Innocent, a little earlier in the same Per venerabilem, says that some princes acknowledge no superior among men except the Roman Pontiff. He added that exception so that when afterwards he said that the king of the Franks acknowledges no superior in temporal matters, we may understand that the speech was of temporal superiors: the king does not acknowledge any temporal prince above himself, but he does acknowledge the Roman Pontiff, the spiritual Prince, who can judge concerning temporal matters too insofar as they are ordered to spiritual goods. But, says Barclay, "they both have and have not" cannot be true at the same time. I respond: "They both have and have not" cannot be true at the same time and in the same respect; but with respect to different things, there is no obstacle to their both being true. "He has a scarlet mantle" and "he has not a scarlet mantle" cannot both be true; but "he has a scarlet mantle" and "he has not a black mantle" can both be true. So too: "The king has in temporal matters a superior who is temporal, and he has not in temporal matters a superior who is temporal"—these cannot both be true; but "the king has in temporal matters a superior who is

spiritual, and he has not in temporal matters a superior who is temporal"—these can very truly both be true, and they are.

Barclay presses on: "The distinction they set up between directly and indirectly pertains not to the faculty of judging and the effect of the judgment, but only to the manner and mode of acquiring such power. For the canonists say that the Pope received from Christ direct temporal dominion over the whole world. These men, however, deny that he received such dominion directly—that is, per se, simply and without consideration of something else—but only indirectly, that is, by consequence, by reason of that spiritual power which he directly received from the Lord. This difference, then, drawn from these words, is to be referred to the beginning and mode of acquiring temporal power, not to its force and effect." So far Barclay, who wishes the Pope, according to the theologians' view, to have temporal power over kings indirectly acquired and to be their judge in temporal matters—a position that seems to contradict Innocent in the chapter cited, where he says that kings have no superior in temporal matters.

I respond: A distinction is needed in order clearly to understand whether Barclay rightly or wrongly infers that the Pontiff has temporal power over kings and is their judge. If by "power to dispose of temporal matters" one means that the Pontiff truly has authority regarding temporalities—whether that authority in itself is spiritual or temporal—then it follows that the Pontiff has temporal power over kings. But if by "temporal power" one understands a power that in itself is temporal, as is the power of kings and other political princes, then Barclay wrongly infers from the theologians' position that the Pontiff has temporal power over kings. Theologians attribute to the Supreme Pontiff both temporal and spiritual power only within the ecclesiastical dominion—that power which Innocent calls "full in

the patrimony of St. Peter" in Per venerabilem. In the remaining Christian provinces and over Christian princes they attribute to the Pontiff only spiritual power, which of itself and properly looks to spiritual things; it considers temporals insofar as they are subordinated to spirituals. Therefore, when we speak properly, we say that the Pontiff has power in temporal matters, but not that he has temporal power as Pontiff. From this it follows that the distinction between "directly" and "indirectly" is referred—not, as Barclay falsely says, to the mode of acquiring the power—but to explain the secondary and consequent object of supreme spiritual power, which, as we said above, primarily and directly regards spiritual things, and secondarily and indirectly—that is, in their order to spiritual goods—regards temporal things. This theological position in no way contradicts Innocent's words in Per venerabilem, as is clear from what has been said.

Barclay adds this further argument: "If the adversaries' position holds, Christian kings and princes will be not only the Pope's vassals and clients in temporal matters but—even worse—will hold their kingdoms and principalities as if at will from him. This is easily shown from the adversaries' own principles. The Supreme Pontiff can take a kingdom from one and confer it on another if it is necessary for the salvation of souls. But to judge and determine whether it is necessary belongs to the same Pontiff, whose judgment no one can judge whether it is fair or unfair. Therefore, whenever he pleases, he will be able to deprive anyone of his kingdom and confer it on another."

I respond: Christian kings and other princes—except for those who are feudal vassals of the Church—ought not to be called "clients" of the Supreme Pontiff, although Barclay delights in calling them so in order to arouse envy against the Church. Still less do they possess their kingdoms and principalities at will; rather they are true kings and true princes, and are nobler and

happier than pagan kings and princes by so much as they not only reign on earth for a time but, after this life, if they have reigned justly and piously, are transferred to a heavenly and everlasting kingdom. Barclay's argument is vicious in every part. The major proposition—"The Supreme Pontiff can take a kingdom from one and confer it on another if this is necessary for the salvation of souls"—needs explanation; for it can be understood well or badly, and so be true or false. The Pontiff can indeed, if it is necessary for the salvation of souls, take a kingdom from someone—but only if he has first warned him, given him time to repent, and has perceived that he is pernicious and incorrigible. He can also confer the kingdom on another, but not at will upon whomever he pleases—otherwise kings would truly reign at discretion—but upon the one to whom it is due, whether by succession or by election. And if perhaps it is due to no one, then to whom reason dictates that it should be granted. Thus Innocent IV at the Council of Lyons, after he had deposed the Emperor Frederick, left the election of a successor free to the Electors to whom it belongs by right; thus Gregory VII, after deposing Henry, confirmed Rudolf elected by the princes. Thus Zachary adjudged the kingdom of the Franks to Pippin, because he in fact administered the kingdom and the nobles desired him. Likewise Leo III transferred the Western Empire from the Greeks to the Franks because they were the most powerful in the West and alone could sustain that dignity, and because the Roman people most desired them. Likewise, in the Old Testament, Jehoiada the high priest, after he ordered Queen Athaliah—who had usurped the kingdom—to be put to death, conferred the kingdom on the son of the deceased king to whom it was owed by hereditary right (2 Kings 11); and Azariah the priest, when King Uzziah was segregated from human society because of leprosy divinely sent upon him, left the administration of the

kingdom not to whom he pleased, but to whom it was due—that is, to the king's son (2 Chronicles 26). Therefore Barclay's proposition, either badly understood is false, or rightly explained does not entail that kings reign at the will of the Supreme Pontiff.

As for his minor—"To judge and determine whether it is necessary belongs to the same Pontiff, whose judgment no one can judge whether it is fair or unfair"—this proposition, likewise, if badly understood is false; if rightly explained, it is true, but it still does not follow that kingdoms are held at the Pope's mere pleasure, which is Barclay's conclusion. It does indeed belong to the Pontiff to judge whether it is necessary for the salvation of souls to deprive a king of his kingdom; but it does not belong to him to feign necessities at will or, under the pretext of necessity, to serve his cupidity. And since this is a most serious matter and the necessity must be manifest and well-established, therefore the Pontiffs ordinarily have done these things in synods of bishops or in consistories of the cardinals of the Holy Roman Church—after the reasons were set out and with the Fathers agreeing—as we showed above.

Barclay proceeds; and after he has amplified and repeated the preceding argument at length, as is his custom, he adds these words: "Moreover, every power and all dominion and jurisdiction are acquired either by divine law or by human law; and whoever possesses or holds anything, if he holds it by neither of these, holds it unjustly—as Augustine argues excellently against the Donatists, Tractate 6 on John 1, canon Quo iure, distinction 8. Therefore it cannot be that the Pope exercises any temporal empire over kings and secular princes justly, unless it is certain that it has been given to him by divine or human law."

I respond: By divine law a power over kings and Christian princes is attributed to the Supreme Pontiff, Christ's vicar—not properly a temporal power, but a power that extends to

temporalities. From the same source whence Barclay himself derives that very ample spiritual power belongs by divine right to the Roman Pontiff over all kings and princes, from that same source we infer that by the same divine right a power that reaches to temporalities belongs to the Roman Pontiff—because the order of the superior power to the inferior, of the spiritual to the temporal, requires it. But, says the adversary, "There is no place found either in divine or human laws that confers such a power upon him." I reply: On the contrary, there is a place in divine law that confers the power, and there is a place in human law that expounds the meaning of the divine law. For what is written in Matthew 16—"I will give you the keys of the kingdom of heaven," etc.—and in John 21—"Feed my sheep"—we find explained in many councils, and especially in the Roman under Gregory VII, in the Lateran under Innocent III, and in the Lyons under Innocent IV, to this effect: that the power of binding and loosing, and of feeding and ruling the whole Church, extends not only to spiritual things but also to temporal things by reason of spirituals. The same is the common opinion of Catholic doctors, and this is confirmed by practice and experience.

"But," he says, "the dominion and authority of kings is openly commended and approved by many testimonies of Holy Scripture: 'By me kings reign'; 'Power is given you by the Lord'; 'The kings of the nations lord it over them'; 'The king's heart is in the hand of the Lord'; 'I will give them a king in my wrath'; 'Fear the Lord, my son, and the king'; 'Honor the king'; and many such like."

I respond: The first passage does not demonstrate a power given by God to kings, but that wisdom is necessary for kings if they are to reign as they ought. For those words are from Wisdom, which urges kings to the study of Wisdom if they wish truly to rule and to decree just laws. The second passage indeed

says that royal power is from the Lord; but it says this so that kings may not grow proud but may understand that they have above themselves the Lord, by whom they will be gravely punished if they abuse their power. The third passage does not attribute a power but condemns the abuse of power: the kings of the Gentiles, who lack true knowledge of God, not content with a royal administration, often desire to dominate peoples as if slaves and to change political government into despotic, and thus from kings become tyrants—an abuse which the Greek word κατακυριεύουσιν (to exercise lordship violently) more clearly signifies. The fourth passage shows God's power over kings, not a power given by God to kings; for such is the omnipotence of God that he has not only the bodies of kings in his power but also their hearts, and he turns and bends them as he pleases. The fifth passage does not commend royal power but threatens that He will permit the people, on account of their sins, to fall under an unjust and cruel king who will not so much rule them as devour them. The sixth and seventh passages teach the fear and honor owed by the people to the king, not the power of the king over the people. But, whatever be the case with these texts: just as we do not deny that royal power is from God, so it must not be denied that apostolic power is from God—indeed, that every power is from God, according to the Apostle in Romans 13: "There is no power but from God." Whether royal power is not subject to apostolic power, or whether it is subject only in spirituals and not also in temporals, is neither openly nor even obscurely contained in these passages—and this is what is at issue.

Finally, Barclay adduces an argument that he had already brought forward more than once before: "Since the Pope's temporal power of which we speak is neither expressly contained in the word of God in Scripture, nor received by tradition as if by

hand from the Apostles, nor observed in the Church by use and custom for a thousand years and more, nor claimed by any Pope, nor praised and approved—indeed not even mentioned—by the ancient Fathers of the Church: what necessity, I ask, compels us to admit it? Or by what authority will they persuade us of it?"

I respond: There are many things that we believe from the word of God as explained by the Church, although they are not expressly contained in the word of God. We do not read expressly in the Scriptures that the Son is consubstantial with the Father; yet we believe it because the Church teaches that the words of the Lord—John 10: "I and the Father are one"—are to be understood in that sense. We do not read expressly in the Scriptures that the Spirit proceeds from the Son; yet we believe it because the Church teaches that the words of the Lord—John 16: "He will glorify me, for he will receive of mine and declare it to you; all things that the Father has are mine; therefore I said he will receive of mine"—are to be understood in that sense. We do not read expressly in the Scriptures the baptism of infants; yet we believe it because the Church teaches that these words are to be understood in that sense: John 3: "Unless one is born of water and the Holy Spirit," etc.; Matthew 19: "Let the little children come to me." Likewise, that the power of the Supreme Pontiff extends to temporal things, especially to kingdoms and empires —we do not read this expressly in the Scriptures; yet we believe it because the Church in general councils teaches that those words of the Lord in Matthew 16—"I will give you the keys," etc.—are to be understood in that sense. And it is false that this power was not in use in the Church for a thousand years and more. For we have already shown that it was in use after the seven-hundredth year in the time of Popes Gregory II and Zachary; and again after the eight-hundredth year in the time of Leo III and Gregory IV. It is also false that it was not praised or mentioned by the ancient

Fathers, since it is mentioned a little less clearly by Gregory Nazianzen, openly by Gregory the Great; and in later centuries it was most openly commended and celebrated by all writers—some of whom have been enrolled among the saints. As to what Barclay says at the end of the chapter—that our reasons are not demonstrations but dialectical syllogisms, and therefore they do not produce certain faith—I shall explain in the following chapter what sort of claim that is and how much weight and moment it has.

CHAPTER THIRTEEN
BELLARMINE'S FIRST ARGUMENT FOR THE PONTIFF'S POWER IN TEMPORAL MATTERS IS DEFENDED

In chapter 13 Barclay undertakes to refute the arguments which I adduced in Book V of On the Roman Pontiff, chapter 7, to prove the Supreme Pontiff's power in temporal matters. And since he prefaces that no one has gathered the reasons for this power more diligently than Bellarmine, or proposed them more ingeniously, or concluded more briefly and subtly—so as to persuade readers that once Bellarmine is overcome the whole matter is finished—I too must preface that I do not accept what Barclay says about my diligence, ingenuity, and subtlety. I know that there are many much more learned, diligent, and subtle than I who treated the same question before me, whose diligence and effort I have tried to emulate as best I could with my small talent. Therefore the sum of victory does not consist in overcoming me, as Barclay strives to persuade readers. I judged also that readers should be reminded that in establishing this case I brought forth only arguments and examples, not Scriptures, councils, and Fathers—since I had pursued those most copiously in the earlier books when confirming the spiritual primacy of the Supreme

Pontiff; once that is confirmed and firmly established, I thought it very easy to derive from it, as from a source, the streams of reasons for confirming power in temporal matters.

My first argument, which Barclay reports almost word for word, was this: The civil power is subject to the spiritual power when both are parts of the same Christian commonwealth. Therefore the spiritual prince can command temporal princes and dispose of temporal affairs in order to spiritual good; for every superior can command his inferior.

Now that political power—even considered not only as Christian but as political—is subject to ecclesiastical power as such I first demonstrated from the ends of each. For the temporal end is subordinated to the spiritual end, as is evident because temporal happiness is not the absolutely ultimate end and therefore must be referred to eternal happiness. But it is established by Aristotle, Ethics I, chapter 1, that powers are subordinated as their ends are subordinated.

Second, kings and pontiffs, clerics and laity do not make two commonwealths but one, that is, one Church. For we are all one body (Rom. 12; 1 Cor. 12). But in every body the members are connected and dependent one upon another. It is not rightly asserted that spiritual things depend upon temporal things; therefore temporal things depend upon spiritual things and are subject to them.

Third, if the temporal administration hinders spiritual good, then by everyone's judgment the temporal prince is bound to change that mode of administration even with detriment to temporal good. This is a sign, therefore, that temporal power is subject to spiritual power. This is my first argument, which Barclay has reported faithfully enough.

To this argument he replies that what I assumed—namely, that civil power is subject to spiritual power when both are parts

of the same Christian commonwealth—is false. He tries to prove this by these words:

"For these two powers are parts of the Christian commonwealth in such a way that neither has authority over the other; for, being free and sui juris, they came together by mutual love. Each therefore acknowledges and honors the other in its own order and office, and each exercises its function by its own decision; there is indeed between them a consenting and friendly alliance for preserving the Christian commonwealth."

I respond: In these words I see an assertion, not a proof, that political and ecclesiastical powers in the same Christian Church are joined by the bond of benevolence, not by subordination of one to the other. This would be rightly said if political and ecclesiastical power were of the same order and made as it were two separate commonwealths, as are the Swiss cantons. But from divine Scripture it is evident that pontiffs and kings, clerics and laity reborn in Christ make one commonwealth—indeed one city, one house, one body. Nor do spiritual and temporal power come together in the Church as two commonwealths into one confederation, but as spirit and flesh in one man—as Gregory Nazianzen taught excellently in his oration to a people shaken with fear. And it is certain that the spirit ought to have dominion over the flesh, not the other way around. Nor are pontiffs and kings in the Church of Christ as principal rams in a sheepfold, but as shepherds and sheep; and no one can doubt whether the shepherds should preside with authority over the sheep or the sheep over the shepherds.

Barclay subjoins: "By each of the two magistracies the Church is contained, defended, and flourishes; for the protection and sound preservation of which each requires the assistance of the other and, in friendly concord,

Each calls the other's aid and joins in faithful league;

so that, as long as they retain their fellowship, the Christian commonwealth blooms with countless blessings of concord and peace. But when they dissolve their union, spiritual power—though eminent by divine virtue—being weaker in the eyes of men and destitute of bodily aids, is often despised; and temporal power, however strong and potent, hastens to its own ruin through every wickedness and madness, deprived of the heavenly grace which it enjoyed by union with spiritual power."

I respond: All this contends against his own author, not against Bellarmine. Bellarmine admits that it is best that these two powers be in concord and most pernicious if they fight one another; but it does not follow from this that one is not subject to the other by right. For in man it is best that spirit and flesh be in concord, and it is pernicious that they be at odds—so that often, when the flesh resists the command of the spirit and the spirit strives to bring the flesh into subjection, they are in discord. Nevertheless, no wise man from this discord will infer that the spirit ought not to have dominion over the flesh; rather, the contrary is most clearly inferred. In like manner, from the fact that so many evils follow from the discord of the two powers—spiritual and political—in the same Christian commonwealth, and that concord is very necessary to both, one must infer that it belonged to the wisdom of Christ, the Founder of the Christian commonwealth, to subject one power to the other so that they might more easily keep and cherish peace and concord between themselves.

Barclay adds the testimony of Hosius of Corduba and of St. Bernard. But since we have already more than once answered the testimony of Hosius, let us hear the words of St. Bernard, On Consideration I, chapter 5: "These lower and earthly things have their judges—kings and princes of the earth. Why do you go into

alien borders? Why do you stretch your sickle into another's harvest?"

I respond: St. Bernard explains himself when in the same place he subjoins: "Not because you are unworthy, but because it is unworthy of you to ply yourselves to such matters, since you are occupied with weightier things. Finally, when necessity requires, hear what is thought—not by me, but by the Apostle: 'If the world is to be judged by you, are you unworthy to judge the smallest matters?' But it is one thing to fall upon these matters incidentally because the cause is urgent; it is another thing to apply yourselves to them as if they were great matters worthy of the intention of such men." There he shows that Supreme Pontiffs ought for the most part to be occupied with greater matters and to leave these lower and earthly judgments to lesser judges—that is, to kings and princes of the earth. As the Apostle says in 1 Corinthians 6: "If you have secular judgments, set those who are of no account in the Church to judge." Thus St. Bernard in that place called "alien borders" and "another's harvest" the earthly judgments—not because the Pontiff cannot, but because for the most part he ought not, neglecting more important matters, to involve himself in these earthly and vile things. Barclay does not cite prudently—indeed I will not say fraudulently—the words which carry with them their own explanation, if the passage be quoted in full.

With like artifice he alleges John Driedo, Book I On Christian Liberty, chapter 2: "Christ distinguished the offices of the two powers, that one should preside over divine and spiritual things and persons, and the other over profane and worldly things." And shortly after: "You see plainly that Christ distinguished the offices of the two powers; therefore the distinction between the ecclesiastical papal power and the secular and imperial power is of divine law." I respond: John Driedo

writes that the two powers are distinct; but he does not deny here —and a little lower in the same chapter he expressly affirms—that one is subject to the other, namely the temporal to the spiritual. He says: "Hence the Pope and the emperor are in the Church not as two supreme rulers divided among themselves, of whom neither knows and honors the other as superior—for thus the kingdom would be brought to desolation." Nor is Barclay's gloss valid—that the emperor in spiritual things ought to acknowledge and venerate the Pope as superior, and the Pope in temporal things the emperor. For John Driedo explains his thought in Book I of the same work, chapter 9, where he teaches that, with respect to the supernatural end, temporal power is subject to spiritual power; and in chapter 14 he teaches that the Pope has the fullness of power over all Christian kings and princes and can deprive them of their kingdoms and free the Christian people entirely from their obedience in temporal matters. Nowhere does he teach that spiritual power is subject to temporal, or that the Pope can be deprived of the papacy by kings, or that peoples can be freed from his obedience and subjection. Barclay also alleges the old gloss on can. Hadrianus, distinction 63, which says: "As he is father to him in spirituals, so is he father to him in temporals." But I have not been able to find that gloss in either the newer or the older editions. Perhaps, like an old woman raving, it has become antiquated, or else, worn out by extreme old age, it long ago passed away.

Lastly, Barclay adds Bellarmine's own testimony in order to pit Bellarmine against Bellarmine and to cast him down wounded by his own sword. "Note," says Bellarmine, Book V On the Pontiff, chapter 3, "just as the sun and the moon are not the same star, and just as the sun did not establish the moon but God did, so likewise the pontificate and the empire are not the same, nor does one absolutely depend upon the other." Having cited

these words, Barclay subjoins: "The sun and the moon are indeed two great lights which Pope Innocent, cap. Solitae (De maioritate et obedientia), by an allegory interprets as the two dignities—papal authority and royal power—and he compares the former to the sun and the latter to the moon. Hence I argue thus. Just as the moon is not less the moon nor less subsists of itself when it recedes from the sun and loses the borrowed light it receives errantly from it, than when with full orb and aspect it is illumined by its rays—and in neither case does the one depend upon the other, but both, maintaining the order and manner of their institution, serve God and the world—so also royal or political power, supported by its own strength, always subsists of itself; and although it receives indeed great light for living well and happily from the pontifical and spiritual power, nevertheless it is in no way changed, diminished, or increased in its ousia (essence) by its approach or withdrawal, and still less is it subject to the latter when it comes close."

I respond: Similitudes do not hold in everything but only in that point for the sake of which they are employed. It is useless, therefore, to look for an accommodation in all respects. Christ is called the Lamb of God because of his meekness, and a lion because of his fortitude, and a rock because of his firmness, and the vine because of his fruitfulness; nevertheless it is not lawful to attribute to Christ the stupidity of a sheep, or the savagery of a lion, or the hardness of a stone, or the fragility of a vine. Innocent III rightly compared papal power to the sun and royal power to the moon, because the former presides over spiritual things and the latter over temporal; the former is greater, the latter lesser. Nor did I wrongly note that the pontificate and the empire are, like sun and moon, distinct and from God; and that the empire does not absolutely depend on the pontificate, for the Roman empire existed before the Christian pontificate, and therefore it

was not instituted by the Pontiff; nor has the Pontiff ever abolished the empire, but only transferred it from one man to another or from one nation to another. We grant, however, to Barclay that pontifical and royal powers do not depend upon one another in essence, as the sun and moon do not. But we do not grant what Barclay adds at the end—that the moon is not subject to the sun. For the moon is subject to the sun in that it receives light from it, and the sun is not subject to the moon, since it receives nothing from the moon. Indeed, not only the moon but all the stars are subject to the sun inasmuch as they receive light from it; and Marcus Tullius, in the Dream of Scipio, rightly says of the sun: "He is the leader, prince, and ruler of the other lights." Therefore, just as the moon is subject to the sun and the sun is not subject to the moon, so a king is subject to the Pontiff and the Pontiff is not subject to the king.

CHAPTER FOURTEEN
THE CONFIRMATION OF THE FIRST ARGUMENT IS DEFENDED

In chapter 14 Barclay examines the three arguments by which I proved the assumption of the first argument—that is, the antecedent of the first enthymeme, to use the language of the schools. The first argument was this: The temporal end is subordinated to the spiritual end; but powers are subordinated as their ends are subordinated; therefore the temporal power is subordinated to the spiritual power. To this argument Barclay replies as follows:

"I steadfastly deny that such an ordering or subordination of the ends of these powers exists as far as the powers themselves are concerned as such. For the end of the political or civil power, as political, embraces absolutely nothing other than temporal happiness—the common good and the ordered tranquility of life—as Bellarmine himself admits elsewhere. 'Political power,' he says, 'has its own rulers, laws, courts, etc., and likewise ecclesiastical power has its own bishops, canons, courts. The former has temporal peace for its end, the latter eternal salvation.'" So far Barclay, who then confirms the same point from the Apostle in 1 Timothy 2, who bids us pray for kings "that we may lead a quiet life," and from Navarrus, who in cap. Novit

de iudiciis, no. 90, says that the end of lay power is a good, happy, and quiet temporal life of mortals—which is also the end of the laws emanating from it; but the end of ecclesiastical power is eternal life—likewise the end of the laws emanating from it.

I respond: Barclay denies a most certain point accepted by the consent of all doctors; and he cannot defend his paradox except by boldly denying everything that is objected to him. For what is more accepted among theologians and philosophers than that there is an order among causes—both efficient and final—and that the lower are subordinated to the higher? Certainly God is the first efficient cause of all things, and the secondary causes are subordinated to him, whether universal causes (such as the lower realities), each of which produces effects like itself, not without the action of the heavens and the cooperation of God, the first and most exalted cause. In the same way the ultimate end absolutely is God; and to him, in a certain order, all other ends are referred and subordinated. The immediate end of political power is indeed the peace of the temporal commonwealth; but this peace is subordinated to the supernatural peace of man with God; and that peace, in turn, is subordinated to the blessed peace that is in the heavenly Jerusalem; finally, all is subordinated to the glory of God the Creator, who is the first principle and the last end of all things. And the very authors whom Barclay cites teach this. For Bellarmine—whom he names first—Book V On the Pontiff, chapter 6, where he wrote that the end of political power is temporal peace and the end of ecclesiastical power is eternal salvation, adds a little later these words: "When these powers are joined, they make one body; therefore they ought to be connected, and the inferior ought to be subject and subordinated to the superior." He gives the reason in chapter 7: "because the temporal end of the political power is subordinated to the end of the spiritual power." The holy Apostle, whom Barclay cited

second, after he commanded that we pray for kings "that we may lead a quiet life," added "in all piety and chastity"—to show that the tranquility of life, which is the end of political power, is subordinated to piety and chastity, which is the end of spiritual power, through which we arrive at the ultimate end, eternal felicity. Finally, Navarrus—whom Barclay cited third—writes in cap. Novit de iudiciis, no. 90, that the end of temporal power is the good and happy temporal life of mortals, and the end of spiritual power is eternal life in heaven. But in the same place, no. 97, he demonstrates that the end of temporal power is subordinated to the end of spiritual power when he teaches, from St. Thomas, De regimine principum I, 12, that "Christ's dominion is ordered to the salvation of the soul and to spiritual goods, although it is not excluded from temporal things in the way in which they are ordered to spiritual goods." "Weigh," says Navarrus, "those words 'in the way in which they are ordered to spiritual goods'; for in that way and in no other does this supreme paternal power of the Pope extend to those things, that is, to temporals." In the same place Navarrus adduces another text from St. Thomas, ST II–II q. 40, a. 2 ad 3: "Every person or art or virtue to which the end belongs has the right to dispose the things that are for the end; but carnal wars among the faithful are to be directed to the spiritual good of God, to which clerics are deputed; and therefore it belongs to clerics to dispose and to induce others to wage just wars." There St. Thomas teaches that carnal wars are ordered to spiritual good as to a mediate, not immediate, end. For the immediate end of war is victory and temporal peace; but because that is ordered to spiritual good—as are all other temporal things—therefore carnal war is said to be ordered to spiritual good as to a mediate end; and for that reason the disposition of just wars belongs in some way to clerics, that is, to ecclesiastical power, whose immediate end is spiritual good. St.

Thomas has many similar things about the subordination of ends in ST I–II q. 1, a. 4 and Contra gentiles II, chs. 17–18 and following.

Barclay next attacks my second argument, which was of this sort: Kings and pontiffs, clerics and laity, do not make two commonwealths but one—that is, one Church; "we are one body" (Rom. 12; 1 Cor. 12). In every body the members are connected and dependent one upon another; but it is not rightly asserted that spiritual things depend upon temporal things; therefore temporal things depend upon spiritual things and are subject to them. Concerning this second argument Barclay speaks thus: "The second argument is so frivolous and fallacious that nothing more senseless could be said or more viciously inferred than what is concluded from it. For what old woman is so witless as not to know that this sequel is invalid: 'They are members of one body; therefore one depends upon the other'? For neither foot depends upon foot, nor arm upon arm, nor shoulder upon shoulder, but upon a third thing."

I respond: When he wrote this Barclay had forgotten what he had said just a little earlier—that no one proposes arguments more ingeniously than Bellarmine, and no one concludes more briefly and subtly. For if arguments proposed most ingeniously and concluded most subtly could be dissolved with no labor by any witless old woman, then the parts fit badly together. But I pass over Barclay's inconstancy, who now exalts Bellarmine to heaven with praises and now casts him into the abyss with insults. It matters little to Bellarmine to be judged by Barclay or others like him, who are not legitimate judges of him. "For we shall all stand before the judgment seat of Christ," and from him we shall be judged justly, truly, and without any perturbation of spirit. What I said—that the members of the same body are connected and that one depends upon another—I meant of

members of different kinds, such as finger, hand, arm, shoulder, and head; not of members of the same kind, such as two hands, two feet, two eyes, two ears. The political power and the ecclesiastical power, of which we were speaking, are of different kinds, as is known; and words should be understood according to the subject matter; otherwise there would be no demonstration so certain that it could not suffer calumny. Therefore, if the royal power, which is principal in its kind, be conjoined with the pontifical power, which also is principal in its kind, so that together they make one body, then of necessity one must be subject or must preside, lest there be two heads in one body. And since it is sufficiently established that the Pontiff is the head of the Church in the place of Christ, it clearly follows that the king ought either not to be a member of this body or to be subject to the Pontiff; and in like manner the political power—which resides chiefly in the king—ought either to be subject to the spiritual power—which resides chiefly in the Pontiff—or to remain outside the Church. Just as there cannot be a finger in the body that does not depend upon the hand, nor a hand that does not depend upon the arm, nor an arm that does not depend upon the shoulder, nor a shoulder that does not depend upon the head —so here. As to what Barclay says a little later, that spiritual and political power are like two shoulders in the body, of which neither is subject to the other but both are subject to one head, Christ—this is not only false (for those powers are not of the same kind so as to be compared to two shoulders—two royal powers would better be compared to two shoulders), but it belongs to the heresy which is now especially prevalent. For what do the heretics of this time strive to persuade the people with greater zeal than that the Supreme Pontiff is not the visible head of the body of the Church, to whom all Christians, however great, must necessarily be subject if they wish to be saved? Barclay

grants this to them freely, although in the whole book he presents himself as a Catholic. Therefore spiritual and political power are not rightly compared to two shoulders; rather they should be compared either to spirit and flesh—as St. Gregory Nazianzen does in the oft-cited oration to a frightened people and an angry governor—or to arm and head, which, though both principal members, still require that the one, however powerful and strong in itself, be directed and governed by the other which is superior.

But Barclay persists and objects to me my own writings, Book I On the Pontiff, chapter 19, where I admit that kings of the earth have no judge on earth as far as political matters are concerned, and he contends that I speak contrary things when in one place I teach that kings have no judge on earth in political matters and in another place I admit that the Pontiff is the judge of kings so that he can even by sentence deprive them of their kingdom.

I respond: Innocent III in cap. Per venerabilem (Qui filii sint legitimi) writes that kings have no superior in temporal matters—and yet he himself deposed the Emperor Otto IV. Let Barclay dare to accuse Innocent of fighting with himself, and I shall not be offended at being rebuked along with so great a Pontiff. But here is the defense that holds: kings have no judge on earth as far as political matters are concerned, while their rule is so contained within political matters and temporals that it does not offend spiritual goods. Further, kings are said to have no judge in political and temporal matters because they have no political or temporal judge above them, although they do have a spiritual judge by whom they can be directed and judged even in temporal matters in their order to spiritual goods.

What Barclay adds—that the distinction between "directly" and "indirectly" pertains to the form and mode, not to the force

and effect of a judgment—has already been refuted in chapter 12, where we discussed these terms expressly.

There remains my third argument, which was this: If temporal administration hinders spiritual good, then by everyone's judgment the temporal prince is bound to change that mode of administration even with detriment to temporal good; therefore it is a sign that temporal power is subject to spiritual power.

Barclay attempts to meet this argument in two ways: first he notes that, whereas I had undertaken to demonstrate the point, I have produced only a sign; then he denies the consequence of the argument. From the fact, he says, that the temporal prince is bound to change his form of government if by it spiritual good is hindered, it follows that spiritual goods are more worthy than temporal goods, not that temporal power is subject to spiritual power.

I respond: It is neither new nor unusual, after demonstrations, also to bring forward arguments from signs. As for the consequence, Barclay is mistaken. From the antecedent—"The political prince is bound to change his administration if it harms spiritual good"—it does not follow simply, "therefore the spiritual good is more noble and more worthy than the temporal"; rather it follows, "therefore the temporal good is ordered to the spiritual good as to its end, and consequently the temporal power is subject to the spiritual power." For the necessity of changing the administration in that case does not arise precisely from the dignity or nobility of the spiritual good, but from the subordination of the one to the other. I made this plain in my Book V On the Pontiff, chapter 7, in explaining this third argument, to which Barclay gave no answer.

CHAPTER FIFTEEN
BARCLAY'S DIGRESSION IS REFUTED

In chapter 15, not content with what he had said in response to my first argument and before moving on to examine and refute the second, Barclay again repeats his own opinion concerning ecclesiastical and political power—namely, that temporal princes ought to be subject to bishops in spiritual matters, and conversely bishops ought to be subject to princes in temporal matters; and just as bishops can compel temporal princes by spiritual penalties to obey in things that pertain to the soul, so princes can compel bishops by bodily penalties to obey in things that pertain to temporal matters, provided they are not contrary to the Catholic faith and good morals. He excepts, however, the Supreme Pontiff, whom he says is subject to no temporal prince, because he is himself a supreme temporal prince in the provinces of the ecclesiastical dominion. In sum, Barclay removes altogether the exemption of ecclesiastics from the power of secular princes.

First, to establish this position, he produces the testimony of Francis Romulus in his Response to Certain Chapters of the Apology, who in express words affirms that bishops ought to be subject to kings in temporal matters and kings to bishops in spiritual matters. The reply is easy. Francis Romulus in that place is speaking of the subjection by which bishops and the other

clerics are obliged to observe political laws and not to disturb the political order established by kings—as also Popes Gelasius and Nicholas teach: the former in his letter to Emperor Anastasius, the latter in his letter to Emperor Michael, whom Francis Romulus cites in that place. But from this it does not follow that a bishop can be forced by a king to obey or punished if he does not obey, since the king has no coercive authority over bishops or clerics—which is stated most openly in the Council of Constance, session 31.

Second, he brings forward Bellarmine's own testimony from On the Clergy, chapter 28, where I teach that clerics, as citizens, are parts and members of the political commonwealth and therefore are obliged to observe political laws. But since in the same place I except coercive power and say that clerics are free from it, Barclay protests and says: "It is truer that clerics, when the cause demands it, can be compelled to obey the laws by a temporal judge, and that in this matter they should not enjoy the benefit of their exemption, which is known to have been received from the laws of emperors and princes. For in vain does he invoke the aid of the laws who acts against them."

Here again Barclay, as is his custom, speaks against the opinion of all Catholics. Although theologians and canonists dispute about the right of exemption, still all teach that clerics are exempt in some way and that they cannot be coerced by lay power. Whether it is truer to think what one man says or what the whole community teaches, I leave to others to judge. We shall say more on this matter below; and I have also said much in On the Clergy.

Third, Barclay adduces the testimony of St. Gregory in Epistle 45, Book IV, where St. Gregory writes to Maurice: "Our Lord would not be more quickly angered with priests on account of temporal power; but with excellent consideration, because of

whose servants they are, let him so bear rule over them that he also render due reverence."

"Let him bear rule," Barclay adds, "insofar as they are citizens and parts of the commonwealth; let him render reverence insofar as they are God's priests and spiritual fathers, to whom the emperor himself, as a son of the Church, is subject."

I respond: St. Gregory's words can indeed be explained in this sense—that the emperor can "bear rule" over priests by establishing political laws which they also, by the force of reason (but not by the force of law), are bound to observe; but that he ought to render them such reverence as not to punish them himself if they do not obey those laws, but to leave them to be punished by their own prelates. But since we learn from Gregory himself, in his Commentary on Psalm 101, that Maurice ruled tyrannically in the last years of his empire and especially began to rage against the priests, it is not surprising if St. Gregory speaks in such a way as to try, if he could not remove the tyrannical yoke, at least to mitigate and moderate it.

Fourth, he produces the testimony of Scripture, 1 Kings (Vulgate 3 Kings) 2 and 11, where King Solomon declared the priest Abiathar guilty of death because he had consented to Adonijah's conspiracy, and drove him out so that he should not exercise the priesthood.

Response: It is not improbable that in the Old Testament the king was absolutely greater than the high priest—both because St. Thomas teaches this in De regimine principum I, 12, and because in the Old Testament the promises were temporal and the sacrifices carnal. But since it is more probable that even in the Old Testament the high priest was greater than the king—as we showed in On the Pontiff II, chapter 29—we persist in the response that we wrote in that place: that Solomon judged Abiathar guilty of death and abrogated his priesthood and

substituted another not as king but as prophet by divine instigation. For what we read in Scripture—"that the word of the Lord might be fulfilled which he spoke concerning the house of Eli in Shiloh"—is the reason why Solomon did this. But, says Barclay, that phrase "that the word of the Lord might be fulfilled" signifies nothing else than that what the Lord had foretold came to be fulfilled—just as in Matthew 27 it is said that the impious soldiers divided Christ's garments among themselves "that the Scripture might be fulfilled: 'They divided my garments among them.'"

I respond: The phrase "that the word of the Lord might be fulfilled" sometimes signifies only that the thing had been foretold and afterwards was fulfilled, as in the place alleged by the adversary. Sometimes it signifies that it was done with the intention and mind to obey God who willed it to be done by means of the agent—as in 2 Kings 9, where Jehu ordered that the slain Joram be cast down from the chariot into the field of Jezreel "that the word of the Lord might be fulfilled" which he had spoken by Elijah the prophet: "Take him up," he said, "and cast him into the field in accordance with the word of the Lord." That the passage alleged from 1 Kings 2 and 11 must be understood in this second way can be proved from the Hebrew text; for where our Latin text has: "So Solomon removed Abiathar, that he might not be priest of the Lord, that the word of the Lord might be fulfilled which he had spoken concerning the house of Eli in Shiloh," in Hebrew the verb has an active sense—"to fulfill," that is, "that he himself might fulfill the word of the Lord." Therefore the words of the Latin text must be understood thus: "that the word of the Lord might be fulfilled"—supply "by Solomon himself." Add this: according to Barclay, the king cannot punish a priest with a spiritual penalty nor meddle in spiritual affairs but only in temporal; yet Solomon deprived Abiathar of the priestly

office and put another in his place. Therefore either he exceeded the mode of his power, or he did this not as king but as prophet and by a special prompting of God, as we said above. Finally, if these answers do not satisfy the reader, we can say that sacred Scripture narrates Solomon's deed but does not define whether he did right or wrong—just as in the same place it narrates the killing of Adonijah, Solomon's brother, by Solomon's order because Adonijah had asked to be given Abishag the Shunammite in marriage; concerning which it can be disputed whether it was done rightly. Therefore he would not reason well who should say: "King Solomon deprived a priest of his office and killed his brother because he asked for that maiden who had been the servant of the king's father; therefore kings can deprive priests of their office and substitute others in their place, and they can kill their brothers if they ask for some beautiful maiden whom the king perhaps loves to be given to them as wife." Such a man, I say, would not reason well, because kings often do many things by power, not by justice; and one must consider not so much what they can do as what they ought to do—or what they can do by right. For it is not true what was said to the emperor Antoninus Caracalla: "To kings whatever they please is lawful."

Barclay adds: "The same most learned man is equally mistaken when he says in On the Supreme Pontiff II, chapter 29, that it is not surprising if in the Old Testament the supreme power was temporal and in the New it is spiritual—because in the Old Testament the promises were temporal and in the New they are spiritual and eternal."

I respond: I put forth that opinion as probable on the authority of St. Thomas in De regimine principum I (or of whatever author that book had), and because of the not inconsiderable reason alleged by the same author. Barclay indeed says that in both Testaments the royal power is only temporal and

the pontifical only spiritual; but he proves it by no authority or reason. No one should be amazed, therefore, if we prefer the ancient author speaking with reason to Barclay, a recent author who carps at the ancients without reason.

Having dispatched these points, Barclay counts and lists in order the privileges of exemptions which were granted by kings or emperors to the ecclesiastical order; from which he infers that ecclesiastics are of themselves subject in temporal matters to political power; for if they were not subject, they would not need privileges, nor would they have sought them or even accepted them when offered.

To this I respond briefly: we have not undertaken in this place a disputation concerning the power of kings over ecclesiastics, but concerning the power of the Supreme Pontiff in temporal matters; nor is it fair to pass from one disputation to another. Therefore, we refer the reader to those things which we have disputed in the Controversies concerning the exemption of ecclesiastics, especially in the editions after the year of our Lord 1598, in which we explained our opinion somewhat more plainly and fully than in the earlier editions. It should be added also that Barclay below treats this matter again, and more extensively, namely in the thirty-second and thirty-third chapters, where he boasts that he has discovered a new doctrine in the matter of exemption against all writers.

CHAPTER SIXTEEN
ANOTHER DIGRESSION OF BARCLAY IS REFUTED

Barclay, having broken off his reply to my arguments for the Pope's power in temporal matters, digresses once more, in chapter sixteen, to the power of kings over the Popes. Because I had said in book I On the Roman Pontiff, chapter 29, that one must recognize a distinction between pagan and Christian kings —namely, that the former had not subjected themselves by Baptism to the Supreme Pontiff as the Vicar of Christ, whereas the latter had—and that therefore it could probably be said that the Supreme Pontiffs were once subject, in temporal matters, to pagan emperors, but were never by right subject to Christian emperors, he undertakes to attack this distinction and promises to demonstrate that the Supreme Pontiffs are by right no less subject to Christian kings than to pagan kings so far as temporal matters are concerned. He does, however, except those Popes who, after acquiring temporal lordship in certain provinces, began to be supreme political princes there, as are kings and other absolute princes. He argues thus: temporal princes, by baptism, subjected themselves to the spiritual power of the Supreme Pontiff as Christ's Vicar; but from this subjection it does not follow that the Supreme Pontiff is not subject to the temporal

power of Christian princes. Therefore, Bellarmine's argument is defective.

I reply. What I had said in the place cited about the temporal subjection of Supreme Pontiffs to pagan emperors I changed two years ago in the Recognition of my works. I had followed the authority of Albert Pighius, but afterward recognized that the rationale of his position was not sufficiently firm. This, however, makes no difference for Barclay. Whether the Popes were subject to the temporal power of pagan emperors or not, Barclay's reasoning is faulty and Bellarmine's argument is sound. For by the very fact that kings through Baptism subjected themselves to the Pope's spiritual power, they are reckoned also to have subjected to that same spiritual power their realms and their political authority, so that they would be directed and corrected by the Pope if in any way with respect to temporal affairs they should swerve from the path of salvation. Vain, therefore, are all the things Barclay adds about the Emperor Constantine, and Kings Clovis and Donald, who did not lose empire or kingdoms by baptism. We do not say that kings by baptism lose their kingdoms or forfeit any of their rights. On the contrary, we affirm that after baptism kings rule more happily and more truly. For Christ's Vicar does not covet the kingdoms of his spiritual sons, nor wish to diminish or disturb their temporal jurisdiction, as Innocent III wrote plainly in the oft-cited chapter "Per venerabilem: Qui filii sint legitimi." Rather, he strives to proceed in such a way that they rule on earth without losing the heavenly kingdom, and that earthly kingdoms serve the heavenly kingdom —admirably put by St. Gregory in Epistle 61 of book I.

Barclay then introduces an analogy by which he judges his view can be most aptly explained and most effectively confirmed. It is this. If a son, while his father is still living, holds public office, he ought to obey his father in things that pertain to domestic

matters and, if he behaves ill toward his father, he can be punished by him with disinheritance and other penalties to which paternal power extends. He is not, however, bound to obey in things that pertain to public administration, nor can he be deprived of office by his father or coerced with penalties that are customarily inflicted by a public magistrate. Conversely, the father is bound to rise before the son who holds office and to obey him in public and political affairs, though not in domestic ones; and the son can take action against his father and proceed against him according to law, as against other private persons, if he should in any way offend against the public laws. So too, then, the Pope, who is the father of all Christians—even of kings and princes—can command kings in matters that pertain to "domestic" affairs, that is, ecclesiastical matters, and can punish them with the very grave penalty of disinheritance, that is, excommunication. But he cannot command them in anything concerning political governance, nor can he deprive them of their kingdoms. Conversely, kings can command the Pope in matters that concern political governance, but not in ecclesiastical and spiritual matters.

I reply. I have already pointed out above that Barclay pads his book by repeating the same things over and over, so that out of a small booklet he may make a book of respectable size. He had already presented this analogy earlier in chapter 3, except that there he compared the Pope to an adoptive father, whereas here he compares him to a father simply. For our present purpose, however, it is the same analogy. And, as we warned in chapter 1, this analogy is so inept and childish that it is astonishing Barclay himself did not notice the defects of the analogy he advances. The power of a public magistrate is greater than the paternal power of private citizens, and can direct and correct it, and, if justice requires, can even deprive the father of his paternal power.

Conversely, the father, since he is a private citizen, cannot direct or correct the public magistrate, much less deprive him of his power. But the power of the Supreme Pontiff, though a paternal power, is not like the paternal power of private citizens; rather, it is like the power of God, whose Vicar the Pontiff is on earth. Accordingly, it is a supernatural, spiritual, public power, and far loftier than every political and human power. Therefore, there are two faults in Barclay's analogy: first, that he makes the political power of a magistrate and the paternal power of private citizens equal—where the former, as superior, is set over the latter as inferior; and second, that he makes the papal power similar to human and private paternal power, whereas it is a public and divine power than which no greater or equal can be found on earth. See what we said on this matter in chapter 3.

Finally, Barclay adduces the testimony of Cardinal Nicholas of Cusa who, in book I of The Catholic Concordance, chapter 3, writes that in an ancient gloss on the canon "Hadrianus," distinction 63, it was said that the Pope is the father of the Patrician in spirituals, and the Patrician is the father of the Pope in temporals; and in chapter 4 he writes that it "is not within the power of the Roman Pontiff to give a king or emperor to whatever province in the world without that province's own consent." I have already answered the first testimony above—namely, that that ancient gloss was rightly antiquated and rejected. As to the second, I answer that the Roman Pontiff can, especially in the case of heresy, excommunicate and depose emperors and kings and release their subjects from obedience, while leaving free to those to whom it belongs by right the decision as to who should succeed in their place. Thus he does not foist emperors or kings upon unwilling peoples by his own whim, nor does he abolish the rights of hereditary succession or election; and this is all that Cardinal Nicholas requires.

CHAPTER SEVENTEEN
THE SECOND ARGUMENT FOR THE POPE'S POWER IN TEMPORAL MATTERS IS DEFENDED

In chapter seventeen Barclay, his digressions completed, returns to examine and refute Bellarmine's arguments; and since enough has been said about the first argument in chapter 14, he takes up the second, which he faithfully transcribes in these words.

"The second argument," he says, "is this. The ecclesiastical commonwealth must be perfect and self-sufficient with respect to its end; for all well-constituted commonwealths are such. Therefore, it must have every power necessary to attain its end. But a power of using and disposing of temporal goods is necessary for a spiritual end; otherwise wicked princes could with impunity foster heretics and overthrow religion. Therefore the Church has this power. Likewise, any commonwealth—because it must be perfect and self-sufficient—can command another commonwealth not subject to it and compel it to change its administration, indeed even depose its prince and appoint another, when the former cannot otherwise defend itself from the latter's injuries. Therefore much more can the spiritual commonwealth command the temporal commonwealth subject to it, and compel it to change its administration, and depose

princes and appoint others, when otherwise it cannot protect its spiritual good."

Barclay, taking this argument from two angles, criticizes it. First, he denies that there are two commonwealths in the Church —one of clerics, another of laity; that is, one spiritual and another temporal; one sacred and another political—and proves this from my first argument, in which I said that political and spiritual power are parts of the same Christian commonwealth and that clerics and laity do not make two commonwealths in the Church but one. Then he denies that the power of disposing of temporal goods is necessary for the spiritual end, on the ground that the Apostle Peter indicates in Acts 5 that he did not have the power of disposing of Ananias's temporal goods, when he said, "While it remained, did it not remain yours? And when it was sold, was it not in your power?"

The answer to the first point is very easy. The spiritual, that is, ecclesiastical, commonwealth and the temporal, that is, political, commonwealth are both two and one—two partial commonwealths, one total commonwealth—just as spirit and flesh joined together make one man, indeed are one man, as St. Athanasius speaks in the Symbol of Faith; and as is gathered from Genesis 2, where we read that God formed man from the clay of the earth and breathed into his face the breath of life, and man became a living soul. Yet they are so distinct in powers, laws, and motions that the Apostle says in Romans 7, "I see another law in my members warring against the law of my mind," and in Galatians 5, "The flesh lusts against the spirit, and the spirit against the flesh." More wondrous still, in 2 Corinthians 4 the spirit is called the "inner man" and the flesh the "outer man," where it is said, "Although our outer man is wasting away, yet our inner man is being renewed day by day"; and in Romans 7, "I delight in the law of God according to the inner man." Thus spirit

and flesh are one man and two men; nor does the Holy Spirit, who says both, contradict himself. For the same reason Bellarmine does not fight with himself when he sometimes considers the ecclesiastical and political commonwealths in the Church as parts of one Christian commonwealth, and sometimes as two commonwealths distinct from one another. Nor was Bellarmine the first or only one to teach that the ecclesiastical commonwealth is very like the spirit and the political commonwealth very like the flesh. Before me Thomas Waldensis taught it, and before Waldensis St. Thomas, and before St. Thomas Alexander of Hales, and before Alexander Hugh of St. Victor, and before Hugh St. Gregory Nazianzen, as we have more than once noted above.

To the second point I answer: The words of St. Peter to Ananias do not signify that the Prince of the Apostles lacked the power to dispose of Ananias's temporal goods if they had been necessary for a spiritual end; they indicate only that St. Peter did not use that power and did not wish to use it, since there was no necessity. Surely, if Barclay's argument had any force, it would also prove that no king can dispose of his subjects' temporal goods in a case where they are necessary for preserving the commonwealth. For any king can say to his subjects: "Was not your field yours while it remained? And when it was sold, was it not in your power? Who compelled you to donate it to the commonwealth? And if you professed to have given the whole, why, retaining part, did you lie in saying you gave the whole?" Just as the right kings have to dispose of citizens' temporal goods is not a right to despoil citizens of the ownership of their property arbitrarily, but a right to compel citizens to expose their goods for the preservation of the common good, so also the power of the Apostle Peter over Christians' temporal goods was not—as Barclay falsely imputes to us—that the Apostle could,

without any cause, deprive all Christians of dominion over their goods and leave them nothing of their own; it was only that he could provide that Christians not abuse temporal goods against God's law, and, conversely, that they use them rightly for attaining eternal life. That the Apostles had a certain power of disposing of temporal goods with respect to spiritual ends follows also from the fact that they decreed that the preachers of the Gospel be supported from the faithful's resources, and that according to the Lord's ordinance, as is evident from the Apostle in 1 Corinthians 9.

"But," says Barclay, "in the first three hundred years there was in the Church no power to dispose of Christians' temporal goods against their will. Therefore either the Christian commonwealth was then imperfect, or such a power is not necessary for attaining a spiritual end." Here Barclay spends many words in vain to show that it belonged to God's providence that the primitive Church be equipped with all things necessary for its preservation. I reply: the primitive Church was equipped with every power and every defense necessary to constitute a perfect commonwealth. In the first three hundred years the Church did not have many political princes; it had, however, some—namely, the Emperor Philip, and King Lucius, and King Donald. But let us suppose there were none; the Church did not therefore lack the power to dispose of princes' temporal goods and to direct their political authority whenever those princes wished to become members or sons of the Church. Moreover, as I said a little before, at the very beginning of the Church—even though there were no Christian princes while the Apostles themselves governed the Church—there were many wealthy persons whose wealth the Apostles disposed of by decreeing that the ministers of the Gospel be sustained from it.

Barclay next adduces the words of St. Bernard from book IV of On Consideration, chapter 3: "This is Peter who is nowhere found to have gone forth adorned with gems or dressed in silk; he did not cover himself with gold, nor was he borne on a white horse, nor surrounded by soldiers, nor encompassed by a noisy throng of attendants. Without these, however, he believed that the saving mandate—'if you love me, feed my sheep'—could be fulfilled. In these, you have succeeded not to Peter but to Constantine." To which Barclay adds: "Accordingly, though the temporal power of which we speak might have seemed to men necessary for the Church, it seemed to God neither necessary nor useful."

I reply. One could say to Barclay here what God himself says in the book of Job, chapter 38: "Who is this that darkens counsel with words without knowledge?" St. Bernard writes that the Apostle Peter was poor in the riches of this world and that he could fulfill the saving mandate of feeding the sheep without personal gold and silver, without a white horse and without guards. St. Bernard does not, however, say that the Apostle Peter lacked the power to dispose of Christians' temporal goods—and even of kingdoms and empires—if spiritual necessity required it. Rather, he says the contrary when he applies to the Pontiff, insofar as he is Pontiff and Vicar of Christ and successor of Peter, the words of Jeremiah 1: "See, I have set you over nations and over kingdoms, to pluck up and to pull down, to destroy and to overthrow, to build and to plant." For personal poverty is not at odds with the power of disposing of riches and of judging the kings and princes of the earth. Superiors of religious orders, though personally bound by a vow of poverty, have the authority to dispose of the very ample wealth of their orders. Among the ancient Romans many poor citizens—Fabricius, Curius, Cincinnatus, and others—when made consuls or dictators,

disposed of kingdoms and the wealth of kings while themselves remaining in their original want. Therefore Barclay should not have confused riches with power, as though the same man could not be poor in money and rich in authority.

Next St. Bernard says that the Pope does not succeed Peter but Constantine in riches and in temporal principality. What does Barclay infer from this? That the Pope could fulfill the apostolic office without temporal principality. What then? Our question is not about the Pope's temporal principate but about the spiritual and apostolic power, which we say extends to disposing of temporal goods and even of kingdoms and empires in order to a spiritual end. Barclay, however, so as to refute this, shifts the discussion to the temporal principate which the Apostle in act lacked, so that by confounding and mixing everything he might seem to have said something. Finally, Barclay—as if he had been rapt to the third heaven into God's counsel—pronounces absolutely that the temporal power of which we speak seemed to God neither necessary nor useful for the Church. I for my part ask Barclay, of what temporal power do you speak? If you speak of that power which, while spiritual in itself, extends to temporal matters, you falsely ascribe something to God. For God judged that power necessary for the ecclesiastical ruler; therefore he granted it to him when he said, "Whatever you bind on earth shall be bound in heaven, and whatever you loose on earth shall be loosed in heaven." The general councils which we cited above have taught that these words must be understood in this way, and they could most truly say, "It seemed good to the Holy Spirit and to us." But if you speak of the power of the temporal principate which the Church now possesses and possessed eight hundred years ago, you most rashly affirm that this power seemed to God neither necessary nor useful to the Church. For—leaving other considerations aside—if God had judged that this principate was

not useful to the Church, surely the Supreme Pontiffs Zachary, Adrian, Nicholas I and II, Leo III and IV and IX, and others who, by the common judgment of all writers, were most good, most holy, and most pleasing to God, would not have retained that principate and still less would they have struggled to preserve it. Whether in the divine judgment one should believe the many holy Popes or the one Barclay cannot reasonably be doubted.

But Barclay presses again and retorts the argument against us in these words. "I pass over that, if their reasoning were sound, it would follow conversely that the temporal commonwealth has power to dispose of spiritual matters and to depose the supreme ruler of the ecclesiastical commonwealth, because it too must be perfect and self-sufficient with respect to its end and must have every power necessary to attain its end. But the power to dispose of spiritual matters and to depose the ecclesiastical prince is necessary for the temporal end; otherwise wicked ecclesiastical princes could disturb the condition and peace of the temporal commonwealth and impede the end of civil government—as indeed some Supreme Pontiffs have at times disturbed it. Therefore the temporal commonwealth has this power." The consequence is plainly false and absurd—for the temporal prince as such has no spiritual power. Therefore, the proposition from which it follows is also false.

I reply. The difference between our argument and the one Barclay now frames by retorting is as great as the difference between truth and falsehood, good and evil. Our proposition—"A power to dispose of temporal matters is necessary for the spiritual end"—is most true, because temporal things are ordered to spiritual things. And the inference "therefore the spiritual commonwealth can dispose of temporal matters with respect to spiritual ends" is sound, since whoever can attain the end can also order the means to that end. Barclay's proposition—"A

power to dispose of spiritual matters is necessary for the temporal end"—is false, because spiritual things are not ordered to temporal things; and the "power" of ordering spiritual things to temporal ends is not true power but an abuse of power and a perversion of order. It is impossible that the abuse of power or the perversion of order be necessary for any commonwealth. Since a power to dispose of spiritual matters is not necessary for attaining the temporal end, the inference "therefore the temporal commonwealth can dispose of spiritual matters with respect to temporal ends" is unsound.

All this can easily be understood from the oft-repeated analogy of spirit and flesh in man. The spirit can dispose of the senses and members of the body with respect to eternal life by enjoining upon them continence, abstinence, scourging, fasts, vigils, labors, and—what is greatest—by commanding the flesh to suffer death for the confession of faith. The flesh cannot dispose of the intellect and will, nor prohibit acts of praying and praising God, and much less can it command the spirit to suffer spiritual and eternal death for any temporal good whatsoever. If perchance the spirit harms the health of the body by indiscreet labors of the mind, for example by excessive prayer or meditation, the spirit will indeed sin, but the flesh will not therefore be able to claim authority over the spirit. Rather, by groaning and failing it will lead the spirit to moderate something of its excessive fervor. So too, if perchance the spiritual prince abuses his power by unjustly excommunicating the temporal prince or by releasing his subjects from obedience without just cause and thereby disturbs the condition of the temporal commonwealth, the spiritual prince will sin. Nevertheless, the temporal prince cannot on that account arrogate to himself judgment over spiritual matters, nor judge the spiritual prince, much less depose him from his spiritual see.

Barclay notices the weakness of his argument; therefore he returns to his former solution, saying:

"But, as they say, granting the absurd is not solving the argument. I answer therefore differently to the first part of this second argument: namely, that there are not here two commonwealths, as he supposes, but only one, in which there are two powers or two magistracies—the ecclesiastical and the political—each of which has what it necessarily needs to obtain its own end, the one a spiritual jurisdiction, the other a temporal, and neither jurisdiction is necessary to the other; otherwise we should have to admit that each power lacked necessary means when they were separate, as they once were."

I reply. This is not another solution but a repetition of the former, which I refuted a little earlier when I showed that the ecclesiastical and political commonwealths can be called two and one, because they are distinct and can be found separate, yet when they come together into the one body of the Church, one is so subordinated to the other that there are two partial commonwealths and one total. Nor does it follow that when they were separate at the beginning of the nascent Church they lacked necessary means. The political commonwealth could fear no injury from the spiritual power since it was not capable of ecclesiastical censures, which have force only on Christians; and the spiritual commonwealth had the power actually to dispose of the temporal goods of those who were about to join it. Finally, it is not true that the spiritual and political powers are like two magistrates, neither of whom needs the jurisdiction of the other. Two magistrates depend on the king, whose authority overarches both and who can ensure that neither hinders the other. But spiritual and political power have in the Church no third power to which both are subordinated and by which both are kept in line. Therefore it is necessary that one be subordinated to the

other—namely, the lower to the higher, the temporal to the spiritual. From this reply it follows that everything Barclay argues to the end of the chapter about the office of the Chancellor and the Constable—very great magistrates who are commanded by the king alone—falls to the ground. What Barclay adds, that the spiritual and political prince are under one God, as the Chancellor and the Constable are under the king, cannot be admitted "saving the Catholic faith." For the Church, which is the kingdom of Christ, not only acknowledges Christ as her Lord and King, but also knows from Sacred Scripture and apostolic tradition and the declarations of general councils and the common consent of the Fathers and Doctors that there is on earth one universal Vicar of Christ, who is the visible head of the visible Church. Barclay admits throughout his book that this Vicar of Christ is the Roman Pontiff. Therefore, if he wishes to be called Catholic, he must also admit that the king and the Pope are not two magistrates immediately under Christ, but that the king is subject to Christ and to the Pope, while the Pope is subject only to Christ.

CHAPTER EIGHTEEN
THE SECOND PART OF THE SECOND ARGUMENT FOR THE POPE'S POWER IN TEMPORAL MATTERS IS DEFENDED

In chapter eighteen Barclay attempts to refute the second part of the second argument presented at the beginning of the previous chapter. The substance of the argument is this. One commonwealth, if it receives injury from another commonwealth and is disturbed and vexed by its evil administration, can by force of arms compel that other commonwealth—even if it is not subject to it—to change its form of administration; and, if need be, it can depose its prince. Therefore with greater reason the spiritual commonwealth, if it receives injury from the temporal commonwealth and is disturbed and vexed by it, can command the temporal commonwealth subject to it to change its form of administration and, if need be, can also depose the temporal prince.

To this argument Barclay replies what he had replied before, that there are not two commonwealths, spiritual and temporal, but one with two powers, neither dependent on the other. Since he saw, however, that this solution is not solid, he admits that the assembly of ecclesiastics, whose head is the Pope, and the

assembly of laymen, whose head is the king, can be called two commonwealths established within the bosom of the same Church. This admitted, he answers that the former commonwealth, that of ecclesiastics, has only spiritual arms; the latter, that of laymen, has only bodily arms. Therefore they are not like two commonwealths which defend themselves with bodily arms, one compelling and subjecting the other.

This solution is no more solid than the previous. Although the arms of the spiritual commonwealth which it uses by itself are spiritual, nevertheless bodily arms are also in its power, because the sword is under the sword. The Church can call upon the secular arm and use through it the bodily sword. Moreover, the spiritual arms themselves can compel the temporal commonwealth and its prince, because the spiritual prince can excommunicate the temporal prince, free his subjects from subjection, and command them under pain of excommunication not to recognize the excommunicated prince as prince, but to choose another for themselves or adhere to the legitimate successor.

Finally Barclay adds: "In a word, even if we should grant them their comparison and conclusion, nothing could be achieved from it except that the Pope has a power of disposing of the temporal goods of Christians and of deposing their princes such as the king of France is recognized to have over the English, the Spaniards, or other neighboring peoples who wrong him—or such as each of these has over the goods and kings of the French when the French are hostile to them. And what that power is, and how great, can be determined only by the sword."

I reply. The comparison and line of argument that we used to establish the Pope's power does not proceed from a mere similar case but from a stronger one. This is what we said: if by reason of injury alone one commonwealth can compel another not subject

to it and depose its prince, how much more will the spiritual commonwealth be able to compel the temporal commonwealth subject to it and depose its prince if it receives such harm from it that it cannot otherwise care for itself except by removing that prince and substituting another? Therefore the power which the spiritual commonwealth has over the temporal is not like the power which the French have over the English, or the English over the French, but like the power which the spirit has over the flesh joined to it, or the head over the members adhering to it.

CHAPTER NINETEEN
ON ST. BERNARD'S TEACHING CONCERNING THE POPE'S POWER IN TEMPORAL MATTERS

In chapter nineteen Barclay attempts to reply to the testimony of St. Bernard from book IV of On Consideration, chapter 4—a testimony I had adduced in support of my second argument. Since St. Bernard writes in that place that "the material sword is to be wielded by the soldier's hand, at the emperor's command, but at the nod of the Supreme Priest," Barclay asserts that by "nod" one should not understand command or authority, but assent. For wars, he says, are waged more successfully when to the authority of kings there is added the assent of priests, whose office it is to judge whether a war is just or unjust. He proves that "nod" does not mean authority, because if perchance the emperor should wish to wage war against the Pope's dissent, St. Bernard gives the Pope no power over the emperor. Indeed, he plainly teaches that no power belongs to him, when he says that the material sword cannot be exercised by the Church but only by the soldier's hand and at the emperor's command. He confirms this by the testimony of Gratian, distinction 23, question 8, at the beginning, who writes that the material sword is forbidden to pontiffs and that only the spiritual sword is granted.

I reply. The word "nod" can mean assent, especially when we nod in reply to someone who asks us for something. But when a "nod" precedes the other causes, it usually means command—indeed, a command so strong and efficacious that the mere nod suffices to effect the thing without any additional express order. Thus in Genesis 42 it is said: "Joseph was the prince in the land of Egypt, and at his nod grain was sold to the people." Clearer still is 2 Samuel 17: "By the Lord's nod the useful counsel of Ahithophel was overthrown." It would be ridiculous to understand "nod" here as mere assent when Scripture is speaking of God's nod, God who alone can turn kings' hearts wherever he wills; and in 2 Maccabees 8 the same Scripture says of God: "He can destroy the whole world with a single nod," and in Job 26: "The pillars of heaven tremble and are amazed at his nod." A poet says something similar: "He nodded—and by his nod he made all Olympus tremble."

That St. Bernard here means by "nod" a command and not a simple assent is made manifest by the fact that he places first among the efficient causes the nod of the Pope, then the command of the emperor, and last the execution by the soldier. Accordingly, just as the soldier, in Bernard's judgment, executes the emperor's command, so the emperor is moved to command the soldier by the Pope's nod—that is, by his order. Moreover, if that nod of the Pope were a simple assent, St. Bernard would not say that both swords are the Pope's; he would say that one is the Pope's and the other the emperor's. Therefore, when he says, "Both are yours; but not both are to be wielded by your hand," he clearly teaches that both are in the Pope's power, though one is to be wielded by him immediately and the other mediately, that is, through another—yet still at his nod, that is, by his command.

"But what," says Barclay, "if the emperor refuses to draw the sword at the priest's nod? Indeed, what if he draws it directly

against the priest's nod? Does St. Bernard in that case grant the priest any temporal power over the emperor?"

I reply. If the emperor refuses to draw the sword at the priest's nod or draws it against his nod—and the matter is necessary for a spiritual good—the Pope will compel him with the spiritual sword, that is, with ecclesiastical censures, either to draw the material sword or to put it back in the sheath. If he is unmoved by the censures and the Church's necessity requires it, the Pope will free his subjects from obedience and abrogate his rule. Thus he will show that the sword is under the sword and that both swords pertain to the Church's power, though not in the same way.

"But," says Barclay, "St. Bernard teaches that no temporal power can belong to the Pope, since he says that the material sword (by which term the highest temporal power is signified) cannot be exercised by the Church but only by the soldier's hand and at the emperor's command. Gratian, Bernard's near contemporary, teaches the same more explicitly at the beginning of distinction 23, question 8."

I reply. St. Bernard only teaches that the material sword is not to be wielded by a priestly hand—which we freely admit. He does not deny; indeed he affirms that the material sword is subject to the spiritual sword and is to be drawn or sheathed at the Pope's nod. Gratian likewise teaches nothing other than that clerics are not permitted to use the material sword and kill men—a teaching confirmed by many canons of Popes and councils. These are true, but one cannot infer from them that the Pope has no power in temporal matters.

Barclay then adduces words of St. Ambrose from book X of his Commentary on Luke, where we read: "The law does not forbid striking; and therefore perhaps, when Peter offered two swords, Christ said, 'It is enough,' as if it had been permitted up

to the Gospel, so that there be instruction in equity in the Law and perfection of goodness in the Gospel." From this Barclay concludes that the material sword was permitted to priests up to the Gospel.

I reply. We do not deny—as we said a little before—that after the Gospel priests are not allowed to wield the material sword with their own hand, unless perhaps in self-defense or for some other cause by dispensation of the Pope. The ordinary use of the material sword belongs to soldiers, not to priests. Yet in that place St. Ambrose is not speaking of priests alone but of all Christians; and Erasmus abused this passage to prove that war is forbidden to Christians. In any event, Ambrose favors neither Erasmus nor Barclay. For he teaches that in the Law not only defense but also vengeance was licit, while in the Gospel defense is licit, not vengeance. These are his words: "O Lord, why do you command me to buy a sword if you forbid me to strike? Perhaps so that defense may be ready, not vengeance necessary, and I may seem to have been able to avenge but not to have willed it." A little later he adds: "The Law does not forbid requiting; and therefore perhaps, when Peter offered two swords, he says, 'It is enough,' as if it had been permitted up to the Gospel, so that in the Law there be an education in equity and in the Gospel a perfection of goodness." He is not saying that defense is forbidden in the Gospel, but that requital is. When St. Ambrose says, "The Law does not forbid requiting," he seems to have in view the Lord's words in Matthew 5: "You have heard that it was said to those of old, 'An eye for an eye and a tooth for a tooth.' But I say to you not to resist the evildoer," where it is not signified that requital was permitted to the ancients by private authority, but by the authority of the public magistrate—and not out of a desire for vengeance, but out of love of justice. The same is permitted to Christians. But the Good Master exhorts his own to perfection of

life, as Ambrose says. That perfection consists in uprooting the roots of contention and in bearing with one another in charity so as not to give occasion to greater evils—wounds and beatings—on account of which it is necessary that public magistrates take vengeance on evildoers.

Barclay adds again that the words of the Gospel about the two swords do not in their literal sense signify the two powers, ecclesiastical and political. We do not, however, argue from the words of the Gospel but from the words of St. Bernard and of Boniface VIII, who, expounding the Gospel words mystically, taught that by the two swords the two powers are understood. St. Bernard, whom Boniface follows, joins together two Gospel passages: one from John 18, "Put your sword into the sheath"; the other from Luke 22, "Behold, here are two swords." The former signifies literally that Christ did not wish to be defended by Peter's material sword or his Passion to be impeded, for he immediately added, "Shall I not drink the cup that the Father has given me?" The latter depends on the preceding words where the Lord had said, "He who has no sword, let him sell his tunic and buy one." Thinking that by these words the Lord had commanded swords to be procured, the disciples said, "Behold, here are two swords." The Lord said, "It is enough"—either ironically, as Theophylact explains, as if he were saying, "What are two swords against an armed cohort?" or, as others think, seeing that they did not understand, he imposed silence on them, saying, "It is enough; you have spoken enough; say no more of this." For when he said, "He who has no sword, let him sell his tunic and buy one," he was not commanding them to buy swords but signifying that they were about to come into straits such that some think it good to sell their tunic and buy a sword. Finally, since the Apostles did not sell their tunics and buy swords, this is a sign that Christ had not commanded them so. Be that as it may with

the interpretation of this most obscure passage, St. Bernard and Pope Boniface VIII applied mystically, and yet aptly and elegantly, what is said of the two swords to the two powers, the ecclesiastical and the political.

Barclay objects again that, even if this mystical exposition is admitted, it cannot be concluded that the sword is under the sword or that both are in the Pope's hand. Boniface says this openly; and St. Bernard says the same in other words. For when he affirms that both swords belong to the Pope—indeed, that both are his—and that one is to be drawn by his hand and the other at his nod, he clearly shows that one is under the other—the material under the spiritual—and that both are "in his hand," that is, in the Pope's power.

At the end Barclay boasts that he has noted a subtlety in the words of St. Bernard, which he does not know whether anyone else has noticed—namely, why St. Bernard said, "Perhaps at your nod, if not by your hand it is to be drawn," and then a little later, repeating the same, omitted the "perhaps." He therefore writes that one must distinguish between the Pope as Pope and the Pope as a private man. As Pope he does not nod absolutely, but "perhaps," that is, only when it is useful to the Church, when with sound and sober counsel he has judged it expedient. As a mere man, however—bearing enmities with another or seeking to satisfy an ambitious will to rule—he commands absolutely that the sword be drawn.

This "subtlety" was suggested to Barclay not by acumen of mind nor by study of Scripture, but by hatred of the Popes. Surely, such a subtlety could never have occurred to St. Bernard. "Perhaps" is not opposed to "absolutely," nor can it be taken to mean "sometimes" or "when it truly is expedient," except by one who, being perverse himself, perverts even the words. Why then did he say "perhaps" at first, and later omit it when repeating the

same? The answer is at hand. At first he mentioned only two things—namely, the nod and the execution—and since he doubted whether it befitted the Pope to nod to the soldier to brandish the sword, he said, "Perhaps at your nod, not by your hand, it is to be drawn." Later, however, he set out three things—the Pope's nod, the emperor's command, and the soldier's execution—and because there could be no doubt that at his command the soldier would use the sword, he omitted "perhaps" and substituted "indeed." Enough has now been said about St. Bernard's mind.

CHAPTER TWENTY
THE THIRD ARGUMENT IS DEFENDED

In chapter twenty Barclay undertakes to examine and refute Bellarmine's third principal argument for confirming the power of the Supreme Pontiff in temporal matters. The argument was this. It is not licit for Christians to tolerate an unbelieving or heretical king if he endeavors to draw his subjects into his heresy or unbelief. To judge whether a king is doing this belongs to the Pope, to whom the care of religion is committed. Therefore, it belongs to the Pope to judge whether a king ought to be deposed or not. I confirmed the major of this argument with three reasons; Barclay refutes it in these words:

"That it is not licit for Christians to tolerate a heretical or unbelieving king is as false as anything can be; otherwise the whole of antiquity must be condemned, since it humbly endured kings who were heretics and unbelievers and who sought to destroy the Church of God—not only out of fear but also out of conscience; that is, not because they lacked the strength to expel impious princes, but because they judged that by God's law it was not licit for them to do so."

I reply. Where truth is sought among thoughtful and serious disputants, the victor is not the one who, with greater exaggeration, affirms his own opinion, but the one who confirms

it with stronger arguments. Barclay indeed says that the major of my argument is as false as anything can be, but he proves what he says only by alleging that antiquity as a whole tolerated heretical or unbelieving kings who sought to destroy the Church, not only out of fear but also out of conscience. He should have proved this very point—that such kings were tolerated by antiquity not only out of fear but also out of conscience. We say the contrary, namely, that they were tolerated because the Church lacked strength to cast them down. The Church could, and indeed would have been bound to, abrogate those kings' rule over the faithful if power had been at hand, unless there were some reason why such abrogation ought to be deferred to a more opportune time. This we prove by the argument which is the first confirmation of my major. The Jews were forbidden by Deuteronomy 17 to set over themselves a king who was not a Jew; and because that law is moral, Christians are by the same right forbidden to set over themselves a non-Christian king, lest they be drawn by him into unbelief. There is the same peril and damage in tolerating over oneself a heretical or unbelieving king who endeavors to turn the people from the faith. Therefore, if power is available, they are bound not to tolerate him but to depose him.

Barclay answers this argument by admitting both the major and the minor—which he could not deny—and denying only the consequence. He says it does not follow rightly from equality of peril and damage that the people have the right to depose the king just as they had the right not to admit him. He proves that this does not follow by three arguments drawn from supposed parallels. He who receives wounds or is robbed of his goods suffers the same peril and damage whether he suffers it by force from a robber or by an unjust sentence from a judge. Yet he can resist the robber by force of arms; he cannot resist the judge.

Again, there is the same peril and damage in boarding a ship whose keel you know is shattered and in boarding one you think sound but which is in fact leaky and unsound; yet it is not the same fault to expose oneself to the peril of shipwreck knowingly and by ignorance. Finally, there is the same peril and damage in taking a wife who is very quarrelsome and contentious whether this is done deliberately for wealth or beauty, or by mistake and imprudence. Yet it is not the same sin to enter such a marriage deliberately and ignorantly; nor is it licit to repudiate the wife, even if it was licit not to marry her in the first place.

I reply that these examples are not parallels but disparate cases and therefore do not prevent the consequence of my argument from being excellent. The first example is not parallel. The people upon whom it devolves to elect a king not only can but must elect from among their brethren—as the law commands—namely, a Christian and a Catholic; they sin most gravely if they do otherwise. He who falls among robbers can, if he wishes, repel force by force; he can also endure that injury with equanimity and merits more before God if he prefers to be unjustly killed by the robber rather than to kill the robber in just self-defense.

The second example of boarding a leaky ship with danger of shipwreck has no similarity with the matter we are discussing. We do not, of course, deny that it is not the same fault if one exposes himself to the same danger deliberately or through imprudence. What we say is that it is the same fault deliberately to choose a heretical king and deliberately to tolerate a heretical king if he endeavors to draw the people away from the truth of the faith and if strength is not lacking to remove him. For just as it is never licit to enter the danger of losing eternal salvation, so it is never licit to persevere in such a danger when it can be avoided. "He who loves danger shall perish in it," says Ecclesiasticus.

The third example about a quarrelsome wife is likewise little to the point—first because, as we have just said, we are disputing about one who deliberately enters danger and deliberately perseveres in it, whereas the adversary frames an example about one who marries a quarrelsome wife through ignorance or imprudence and about another who does so knowingly and prudently; and second because one who marries a wife in the Christian manner, whether he does so prudently or imprudently, cannot, after the consummation of the marriage, be loosed from that bond in any way. "What God has joined together, let no man separate." The people, however, who elect a king can, by pontifical authority, be released from his obedience and from the oath of fealty. If Barclay wishes to take an example from marriage truly apt and similar in every respect, let him take the marriage of a believer with an unbeliever. Just as it is not licit for a believer to take an unbelieving wife because there is danger that she turn him from the faith, so it is not licit to persevere with an unbelieving wife—not only because that marriage is not legitimate, but also because the very same danger exists in taking an unbelieving wife and in persevering with an unbeliever. Even if the marriage were legitimate—as the marriage of an unbeliever with an unbeliever is—yet if one of the spouses is converted to the faith and the other is unwilling to cohabit without injury to the Creator, the marriage validly contracted can rightly be dissolved according to the Apostle in 1 Corinthians 7. Indeed, the practice of the Church now holds that because of grave danger to the faith it is not only licit for such a marriage to be dissolved, but also not licit for the husband converted to the faith to cohabit with an unbelieving spouse.

CHAPTER TWENTY-ONE
THE CONFIRMATION OF THE THIRD PRINCIPAL ARGUMENT IS DEFENDED

In chapter twenty-one Barclay, with great zeal and no less rhetorical force, tries to refute the second confirmation of my third principal argument. The confirmation was this. If Christians once did not depose Nero, Diocletian, Julian the Apostate, Valens the Arian, and the like, the reason was that temporal strength was lacking to Christians. That they would otherwise have had the right to do so is clear from the Apostle in 1 Corinthians 6, where he orders Christians to appoint new judges for temporal causes so that Christians not be compelled to plead their cause before a judge who persecutes Christ. Just as new judges could be appointed, so too new princes and kings could have been appointed for the same reason if strength had been available.

Barclay says this confirmation can be criticized in many ways. First, he criticizes my saying that it was lack of strength which was the reason Christians did not depose Nero, Diocletian, Julian, and Valens; and he sends the reader back to what he has written on this in chapters 6, 7, and 8. We likewise send the reader back to what we wrote in chapters 6, 7, and 8. I will note only this here, that what I say in this place had already been said

by St. Thomas in II–II, question 12, article 2, ad 1. Accordingly, Barclay criticizes not me alone but St. Thomas as well. Let anyone who wishes read the passages just cited; he will easily judge on which side the truth stands.

Then Barclay tries to refute what I said—that the Apostle ordered Christians to appoint Christian judges of civil controversies. From this I inferred that Christians could in like manner be ordered to elect for themselves Christian princes, with unbelievers and persecutors abrogated, if the strength to do so had been at hand. Barclay says that the judges of whom the Apostle speaks were only arbiters, that is, voluntary judges, without coercive power, and that from their appointment nothing was taken from the jurisdiction of pagan princes under whom Christians then lived. To confirm this sense he appeals to St. Thomas and Nicholas of Lyra in their commentaries on this passage of the Apostle.

I readily admit that those Christian judges, constituted at the Apostle's order, did not have coercive force in the external forum and that if Christians—whether by pagans or by Christians—were summoned to the tribunals of pagan judges, they were absolutely bound to obey. This is all that St. Thomas and Lyra teach. I nevertheless deny that they were mere arbiters or voluntary judges. Arbiters are chosen by litigating parties and have no jurisdiction to judge except what the litigants, by an agreement made between themselves, give them. Those judges, however, were constituted by the public authority of the community; and those who had civil cases were obliged to go before them and were forbidden to go to the tribunals of the Gentiles. This can easily be proved from the Apostle's words: "Does any one of you, having a matter against another, dare to be judged before the unjust and not before the saints?" By calling Gentile judges "unjust," he shows that it is not good to go to their

tribunals; and just as he is speaking of true judgment, not of mere arbitration, when he forbids being judged before the unjust, so he is speaking of true judgment when he orders that they be judged before the saints—that is, Christians. The Apostle adds: "Do you not know that the saints will judge this world? And if the world is to be judged by you, are you unworthy to judge the smallest matters? Do you not know that we shall judge angels? How much more things that pertain to this life!" He shows here the authority of the Church, which by its right can judge temporal matters since it is to judge with Christ the whole world and even the apostate angels on the day of the last judgment. Christ and the Church will surely not judge the world as arbiters without authority and jurisdiction.

He goes on: "If then you have judgments pertaining to this life, set those who are least esteemed in the Church to judge." From what has been said he concludes that, since it is evil to be judged before the unjust Gentiles and the Church has authority to judge, the faithful should, by common consent, appoint some from the Church who may be judges of such secular controversies—not that each should choose arbiters for himself, but that "you," gathered together as one, "appoint judges." Cajetan comments on this passage, "He urges that some wise man be appointed judge of the multitude of brothers." He then adds, to their shame, "Is it so that there is not among you one wise man who is able to judge between his brethren, but brother goes to law with brother, and that before unbelievers?" He explains that when he said, "Set those who are least esteemed in the Church to judge," he did not mean that with the wise set aside they should in fact appoint fools to judge; rather, he wished to confound those who went to the tribunals of unbelievers as if there were no wise man in the Church who could be appointed judge, when in fact

the least esteemed—that is, the lowest Christians—are more fit to judge than the highest and most "wise" unbelievers.

From this principle—that, according to the Apostle, the Church has the right and authority to appoint judges for itself—theologians rightly conclude, and above all St. Thomas in II–II, question 10, article 10, that the Church has the authority to abrogate the rule of unbelieving princes over the faithful. Nor is it any obstacle that St. John Chrysostom, in expounding this passage, mentions an "arbiter." Neither he nor any other interpreter, so far as I know, says that the Apostle here speaks of arbiters chosen by the parties. Chrysostom merely says that great wisdom is not necessary for the arbiter of a controversy between brothers. He calls "arbiter" the judge of the controversy even though he has public authority to judge—just as Justin writes at the beginning of his history: "The arbitrations of princes were instead of laws," for although princes were true judges, yet their judgments were called "arbitrations" because they did not judge by the strict letter of the laws but by their natural judgment. Likewise, judges appointed by the Church in Christians' civil causes were true judges, but they were not bound to follow the niceties of civil law; therefore Chrysostom calls them "arbiters."

Barclay insists, saying: "The Apostle orders nothing in that place which either takes from or diminishes in any way the jurisdiction and authority of unbelieving judges over Christians. Indeed, he could not rightly order anything contrary to such subjection, since by the natural law confirmed by God's authority, as St. Ambrose testifies, the Apostle himself teaches in Romans 13."

I reply. The Apostle, by the establishment of Christian judges, does not prejudge the jurisdiction and authority of unbelieving princes, since he does not order Christians not to appear before an unbelieving judge if they are summoned; he only commands

that they not go of their own accord. But to say that the Apostle could not exempt Christians from subjection to unbelieving princes, if he judged it useful or necessary and had the strength to carry it out, cannot be said without grave error. It is indeed of the natural law, confirmed by God and declared by the Apostle, that "every soul be subject to higher powers." It is not, however, of the natural law, confirmed by God and declared by the Apostle, that a higher power cannot be removed by another higher power and thereby the duty of subjection and obedience cease. It is of divine law that the power of inferior magistrates be obeyed not only out of fear but also out of conscience; nevertheless an inferior magistrate can be removed or changed by the prince, and then no one owes subjection or obedience to that person from whom the magistracy has been taken away. Likewise, when a king is deposed either by the supreme spiritual power in the case of heresy or by another king in the case of victory, what the Apostle says no longer applies to him: "Let every soul be subject to higher powers." The same can be said about paternal and masterly power. It is of the natural law, confirmed by God and declared by the Apostle in Ephesians 6, that children obey their parents and servants their masters. Yet children can be emancipated and servants can be granted freedom, and thus it can come about that neither the former are bound to obey their parents nor the latter their masters. Therefore, unless Barclay can show that it is of the natural law, confirmed by God and declared by the Apostle, that secular princes—whether believers or unbelievers—cannot in certain cases be deposed by ecclesiastical authority, he has said nothing to the point, however often he may repeat his view with many words in this chapter.

Barclay adds another solution no more solid than the first: "Furthermore, if anyone were to skim that passage of the Apostle, he would observe that the Apostle is concerned to instruct

Christians' minds to evangelical perfection, which is more a matter of counsel than of precept, and to exhort them to suffer injury rather than to engage in lawsuits among themselves."

I reply. When the Apostle exhorts Christians not to have lawsuits among themselves, but to forestall lawsuits by gentleness and patience, he teaches a counsel of perfection, not a precept. But when he orders that, if they do have lawsuits among themselves, they bring their cases to Christian judges and not to unbelievers, then indeed he makes clear that he is giving a precept when he says, "Does any one of you, having a matter against another, dare to be judged before the unjust and not before the saints?" and "Set those who are least esteemed in the Church to judge."

Barclay proceeds, and leaving Bellarmine aside he attacks St. Thomas, saying: "Since we are pursuing particulars, it must be noted that St. Thomas, in II–II, question 10, article 10, holds the opinion that the right of dominion and pre-eminence of heathen princes can rightly be taken from them by the sentence or ordinance of the Church, which has the authority of God, as he says. The authority of St. Thomas is great with me, but not so great that I take all his disputations as canonical Scripture or that his opinion outweighs reason or law. I venerate and revere his spirit, but there is no reason why anyone should be moved by that opinion of his—both because he brings forward no adequate and efficacious reason or authority for it, and because in his exposition of the Epistle to the Corinthians he clearly thinks the contrary, and finally because he has no ancient Father agreeing with him, while there are many reasons and authorities to the contrary. His reason is that unbelievers deserve, by reason of their unbelief, to lose power over the faithful who are transferred to be sons of God. A bad reason and unworthy of so great a man —as if, whenever someone deserves to be deprived of an office,

benefit, dignity, authority, or other right which he possesses, he could straightway be despoiled by someone other than the one from whom he received it and by whom he is still maintained, or by someone else having from him an express mandate and power."

I reply. Admirable is the importunity of this Aristarchus who so freely rebukes the Prince of Theologians that he says, "A bad reason and unworthy of so great a man," although he professes himself a jurist and has not even saluted, from the threshold, the inner chambers of sacred theology. I am not surprised that he says he venerates the "manes" of St. Thomas, for his book is full of improper expressions. The spirit of that most holy Doctor does not live among the "gods below" with the shades but among the angels above, enjoying eternal life. As for Barclay's assertion that St. Thomas's opinion is supported by no efficacious reason, that is false; although it is true that the force of St. Thomas's reasoning could not be penetrated by Barclay's intellect. His further claim that the same St. Thomas wrote the contrary in his Commentary on the Epistles to the Corinthians convicts Barclay of manifest ignorance. In that Commentary St. Thomas indeed says that it is contrary to divine law to forbid subjects to submit to the judgment of an unbelieving prince and that subjection is owed even to unbelieving princes. These are most true; but it does not follow from them that the Church lacks authority to deprive unbelieving princes of dominion over the faithful. These statements are not contrary: "Subjection is owed to an unbelieving prince, as long as he is prince," and "An unbelieving prince can be deprived by the Church of the dominion he has over the faithful." Since Barclay judges these to be contrary, either he never learned dialectic or he has forgotten its rules.

Barclay's argument against St. Thomas's reason is truly weak. It is this: "Unbelievers deserve to lose power over the faithful; but

they cannot be deprived of power except by the one who gave that power or by one who has from him an express mandate and authority to take it away. Princes have their power from God and are inferior to God alone; therefore by God alone can they be deprived of power, not by the Church, which neither gave power to unbelievers nor has an express mandate from God by which she ought or can take it away."

This argument has no strength. It is false that political princes have power from God alone. They have it from God insofar as God has implanted in human minds the natural instinct to be governed by someone. That men are governed by kings or by consuls, by one or by many, by a perpetual or by a temporary magistrate depends on human will; likewise, that this man rather than that is king is made not by God's special command but by human will. Therefore St. Thomas, in the place cited (II–II, q.10, a.10; q.12, a.2), as a certain and settled point, holds that dominions and political principalities are not of divine law but of human law—a point to which no learned person objects, nor would Barclay object if he consulted reason rather than passion.

Moreover, even if we granted that the king is immediately established by God and has power from him alone—which we do not grant—Barclay's argument would still achieve nothing against St. Thomas's reasoning. St. Thomas would reply that the Church has authority from God, through his ruler and shepherd, to take away power in certain cases—those in which God gave it. The Supreme Pontiff is the Vicar of God and therefore has from God the power to dispense and to change many things according to God's will, of which he is the interpreter. The Pontiff dispenses in vows and oaths—things which God himself commanded to be fulfilled and whose fulfillment is by divine law. He dispenses not because he is above divine law, but because he interprets that it is pleasing to God that in this or that case an oath or vow be relaxed

—just as the Apostle says in 2 Corinthians 2: "For indeed what I have forgiven, if I have forgiven anything, I have done it for your sake in the person of Christ." There he says that he, "in the person of Christ," remitted to the incestuous Corinthian the penalty which by divine law he ought to have paid either in this life or in purgatory. And this is what St. Thomas means when he says that the Church, having God's authority, can deprive unbelieving princes of the dominion which they have over the faithful.

Barclay further, so as to leave nothing untouched, carps also at what St. Thomas says in the same place (II–II, q.10, a.10), namely, that the Church does not always use her right of deposing unbelieving princes in order to avoid scandal—just as the Lord paid the didrachma, to which he was not bound, lest he scandalize those who collected that tax; and as the Apostle admonishes servants to obey their carnal masters lest the doctrine of the Lord be blasphemed.

He says: "Not only for scandal's sake, as Thomas thinks there, did the Apostle abstain, but on account of lack of power, because he was not a judge of unbelievers, according to that of the Apostle in 1 Corinthians 5: 'What have I to do with judging those outside?' And because princes are constituted by God, they have God alone as judge above them, by whom alone they can be deposed. Nor is it to the point that when Paul orders Christian servants to show all honor to unbelieving masters he adds only that the name of the Lord and the doctrine not be blasphemed."

I reply. The itch of this peevish censor to carp and to pinch is intolerable. When St. Thomas says that the Church does not use her right because of scandal, he does not add the word "only." If there are other reasons, the holy Doctor is not to be rebuked for touching upon one reason—most true—and that very reason which, in a similar case, Christ himself and his Apostle touched upon. The Lord did not say that he paid the didrachma for

scandal's sake "only"; nor did the Apostle order masters to be honored by servants for the sole reason that the name of the Lord and the doctrine not be blasphemed. As for what Barclay adds—that the Church had no power over unbelieving princes because the Apostle writes, "What have I to do with judging those outside?"—this does not militate against St. Thomas, who in II–II, question 12, article 2, explains that this passage is to be understood of unbelievers who have never received the faith, insofar as they are unbelievers, not insofar as they rule over the faithful. For by reason of unbelief alone the Church cannot judge unbelievers, since they do not pertain to her governance. But when they rule over the faithful—and especially when they endeavor to turn their faithful subjects away from the faith—then the Church has the right to deprive them of the dominion which they have over the faithful. She does not always use that right, either because strength is lacking or in order to avoid scandal. As for his refrain that princes are constituted by God and have no judge above them but God alone—a tune Barclay repeats to nausea both here and above—it has been refuted both in this chapter and in the preceding ones.

At the end of the chapter Barclay leaves St. Thomas and returns to Bellarmine, whom he says he can convict out of his own writings. He produces certain words from book II, chapter 29 of On the Roman Pontiff, where, following Albert Pighius, I admitted that the Apostles were by right and in fact subject to unbelieving princes in all civil matters and that unbelieving princes were not subject to the Apostles either by right or in fact. From this passage Barclay infers that Bellarmine held that in those times the Church had no right to depose unbelieving princes. I reply. In the Recognition of my writings I have already warned that Pighius's opinion—which I also once followed—is improbable, and that one should agree with better Doctors that

the Apostles were by right exempt from all subjection to earthly princes. Even if Pighius's view were true, it would not follow that the Church had no right at that time to deprive unbelieving princes of the dominion they had over the faithful. Pighius would say that the Church and the Apostles themselves were subject to unbelieving princes as long as they were princes; but if, by the Church which has God's authority, they had been deprived, then they would no longer have been by right subject. The people too are subject to a king as long as he reigns; but if he is conquered in war by another king and ceases to reign, he is no longer subject.

Barclay finally adduces another statement of Bellarmine in the same book I, chapter 29 of On the Roman Pontiff—namely, that to judge, to punish, and to depose belongs only to a superior. This saying is quite true; yet from it Barclay, according to his dialectic, weaves this syllogism: "Subjects cannot by right judge, punish, or depose a superior; but all Christians were subjects of Nero, Diocletian, and the other pagan emperors and kings; therefore they could not depose such emperors and kings." The major is conceded, and the minor also rests on a very certain truth. The conclusion follows from the premises and is diametrically opposed to what Bellarmine said—that Christians once could by right depose Nero and Diocletian, etc., but, because they lacked temporal strength, they abstained from doing so. Therefore that statement is false and deserves censure. Affirmation and negation cannot both be true. From this also appears the falsity of St. Thomas's opinion which we refuted above in this chapter.

I reply. Barclay is a very great master in the art of dialectic who by a single syllogism has laid low not only Bellarmine but also St. Thomas, who, on account of the extraordinary splendor of his wisdom, is rightly celebrated with the title "Angelic Doctor." I reply to his syllogism in form as follows. The major—"Subjects

cannot by right depose superiors"—is true, but it ought to be universal if the syllogism is to be legitimate, and it must be understood formally, that is, "a subject, as a subject," or "so long as he is a subject," cannot depose a superior, as a superior, or so long as he is a superior. The minor—"All Christians were subjects of Nero, Diocletian, etc."—is false, because the Apostles and their successors, who were spiritual princes, were not by right subject to earthly kings. Then too, the Christian people, even if otherwise they were subjects of unbelieving kings and emperors, could nevertheless, in a case of danger of losing the divine faith, by right of just defense shake off the yoke of an unbelieving prince, especially if the Church, through the Supreme Pontiffs, judged that this should be done. From these points it follows that Barclay's conclusion is manifestly false and that the doctrine of St. Thomas and of Bellarmine, who followed St. Thomas, is most true.

CHAPTER TWENTY-TWO
THE SECOND CONFIRMATION OF THE THIRD PRINCIPAL ARGUMENT IS DEFENDED

In chapter twenty-two Barclay attacks the second confirmation of the third principal argument, which in my book I had set forth to prove the Supreme Pontiff's power in temporal matters. The confirmation was this. To tolerate a heretical or unbelieving king who endeavors to draw men to his sect is to expose religion to the most evident danger. But Christians are not bound, indeed they ought not, to tolerate with evident danger to religion an unbelieving king. When divine law and human law conflict, divine law must be observed and human law set aside. By divine law it is required that the true faith and the one true religion be preserved; by human law it is determined that this or that man should be king.

To this confirmation Barclay first replies that the argument is not in syllogistic form. This is mere caviling. I neither wished nor intended to cast the argument into syllogistic form—as may be understood, among other things, from the fact that I did not set down a conclusion explicitly and that I inserted many things from Sacred Scripture, profane authors, and ancient and modern experience which Barclay omits. Setting aside his cavil about syllogistic form, he next tries to blunt the force of the argument,

saying: "Let us grant that he has fashioned his reasoning with the best form, and let us reply to the force of the argument. I say, therefore, that his major is false. I say, namely, that it is not true that to tolerate a heretical or unbelieving king who endeavors to draw men to his sect is to expose religion to the most evident danger; rather, it is to allow religion to be in danger into which it has fallen by the fault of the heretical or unbelieving king and to which it is already, without the people's fault, exposed, since no just and lawful remedy remains to the people for freeing it other than constancy and patience."

I reply. When the Church lacks the strength to cast off the yoke of unbelieving tyrants—as indeed strength was lacking in the times of Nero, Diocletian, Constantius, Julian, and Valens—then it is true that to tolerate a heretical or unbelieving king who endeavors to draw the people into his sect is not to expose religion to danger but to suffer it to be in danger. When, however, strength is present and the Church can, if she wishes, by the authority of Christ's Vicar deprive the heretical or unbelieving king of the dominion he has over the faithful, then, if she does not do so, she truly and properly exposes religion to the most evident danger by refusing to apply the remedy she has at hand, unless perchance reason persuades that this remedy be deferred for a time and other gentler means be tried meanwhile.

What Barclay adds here—that it would have been very easy for Christians of old to depose Julian, Constantius, and Valens—has already been copiously refuted in chapters 6, 7, and 8. I have no desire to imitate Barclay in repeating the same matters again and again.

Barclay goes on and says: "Now as to what he deduces from a conflict of divine and human law, I answer briefly that he is very much mistaken in thinking that there is here a concurrence and conflict of divine and human law. For it is not a contradiction to

preserve the true faith and religion and to tolerate a heretical or unbelieving king; nor is one matter of divine law and the other of human law, as he imagines. Rather, there are two precepts of divine law—to worship God with the true religion and to serve and obey the king—which can be observed and fulfilled together, as the Jesuits themselves teach."

I reply. I was not ignorant that to serve and obey the king belongs to divine law; therefore I did not deny this in my book. I said that it is of human law that we have this man or that man as king, but that it is of divine law to preserve the true faith and religion. Although by divine law we are bound to obey the king while he is king, yet it is not provided by divine law that a king can under no circumstances be deprived of his kingdom. Otherwise, all who from the beginning of the world have been stripped of their kingdoms would have been stripped unjustly, nor would there be any commonwealth, or scarcely any, lawfully constituted. For, as a rule, commonwealths are founded after kings are expelled. This, then, is what we say: that, in order to keep the divine law of preserving the true religion, it is sometimes permissible to change human law and to transfer the kingdom from an unbeliever to a believer when true religion cannot otherwise or can scarcely be preserved.

Barclay objects again: "All that is indeed true, namely, that it is by human law that this or that man is king. But beware, reader, lest you be trapped. Bellarmine omits what is principal; he should have added: 'But once we have this or that man as king, it is of divine law that we obey him in civil matters with all honor and reverence.' With this addition—which no Catholic can deny—his argument is utterly destroyed."

I reply. I have already taught that once we have this or that man as king, he is to be obeyed by divine law while he sits on the throne. It is not of divine law, however, that he always remain on

the royal throne as long as he lives. For it can come about that he either abdicates power or, being overcome by another king, falls from his kingdom; or that he is deposed on account of heresy. In any case, whenever he ceases to be king, the obedience due to him also ceases. "But," says Barclay, "according to Bellarmine's view in book II, chapter 29 of On the Roman Pontiff, it is not licit for a council to judge, punish, or depose the Pope who strives to disturb and destroy the Church of God, but only to resist him by not doing what he commands and by preventing him from carrying out his will. Why should we not judge the same similarly, and with greater reason, of kings—since they too are above peoples (as the same author testifies in book I, chapter 9 and book III, chapter 19) and have no judge on earth? Moreover, some theologians of great name have thought that a general council has greater authority over the Pope than a people has over a prince."

I reply. If the Supreme Pontiff were to become a heretic and were to strive to destroy the Church by leading her away from the Catholic faith, without doubt he could be deposed—or at least declared to be deposed—by a council, as is gathered from the canon "Si Papa," distinction 40. Neither Bellarmine nor any Catholic denies this. From this very point Barclay might have understood that it is not remarkable if kings can be deposed for heresy even though they have no temporal superior, since the Pope, who has on earth no superior either in temporals or in spirituals, can be deposed in the case of heresy. What I wrote in book II, chapter 29—that the Pope cannot be judged or deposed by a council—is understood outside the case of heresy, if he should seem to wish to disturb and destroy the Church by his life and morals alone. There is a difference between the Pope and a king. The Pope has no superior at all on earth, since he is that "chief servant" whom the Lord set over his whole household, of

whom the same Lord says in Luke 12 that if that servant behaves badly and begins to beat the menservants and maidservants and to eat and drink with drunkards, "the master will come on a day when he does not expect him and will punish him most severely." He does not wish, therefore, that the servant be punished by the household or by someone of the household; rather, the master reserves judgment of that servant to himself. The king, however, who did not immediately receive the kingdom from God but to whom the people transferred their power, and who—if he is or has been a Christian—is subject to the Pontiff as a sheep to a shepherd: although he has no temporal superior among temporal rulers, he does have a spiritual superior whose power also extends to temporal matters. Therefore he can be deposed by the Supreme Pontiff as Christ's Vicar. If some learned men have thought that a council is above the Pope more than a kingdom is above a king, we do not much mind their opinion, since from Scripture and from the decrees even of general councils the contrary is gathered. We have written enough about this in the second book On Councils.

Perhaps someone will ask: if the Pope has absolutely no superior on earth, by what right can he be deposed by a council or by the Church on account of heresy? The answer is ready. Whereas men are ejected from the Church by excommunication on account of other crimes, heretics go out and depart of their own accord and, in a certain way, excommunicate themselves—as St. Jerome noted in explaining the Apostle's words to Titus 3: "The heretic is condemned by his own judgment." Therefore, if the Pope—which I do not think can happen—were to become a heretic or an unbeliever or an apostate, he would not so much have to be deposed as declared deposed by a council.

CHAPTER TWENTY-THREE
THE THIRD CONFIRMATION OF THE THIRD PRINCIPAL ARGUMENT IS DEFENDED

In the twenty-third chapter Barclay attempts to refute the third confirmation of my third principal argument. This is the confirmation: Finally, why cannot a faithful people be freed from the yoke of an unbelieving king who drags them toward unbelief, if a faithful spouse is free from the obligation of remaining with an unbelieving spouse when that spouse is unwilling to live with a Christian, without injury to the faith—as Innocent III clearly infers from Paul in 1 Corinthians 7, in the decretal "Gaudemus" (De divortiis)? Indeed, is the case not even stronger?

To this confirmation Barclay replies in such a way that he seems deliberately unwilling to understand where the force of the reasoning lies; and he does this in order to obtain an occasion, by writing at length, either to display his own doctrine or to pad out his book. But a prudent reader will easily notice that he wanders off the point. At the outset he pretends that I am speaking about a marriage contracted between the faithful, of whom one later falls into heresy—a marriage that is altogether indissoluble and cannot properly be compared with the bond that exists between a king and a people.

But it never entered my mind to speak about such a marriage. I spoke instead about a marriage contracted between unbelievers, of whom one, upon conversion to the faith, is free from cohabitation with, and from the yoke of, the unbelieving spouse. That I spoke of this kind of marriage is clear from the Apostle and from Innocent, whom I cited; for neither the Apostle nor Innocent declares free from marriage the one who contracted, after baptism, with a believer, but rather the one who had contracted before baptism with an unbeliever, and who, after conversion to the faith, has a spouse who remains in unbelief.

"But," says Barclay, "you did not say that the faithful spouse is free from the yoke or bond, but from the obligation of remaining with an unbelieving spouse."

I reply: I said what the Apostle said, and I understood what the Apostle understood. The Apostle's words are these: "If any brother has an unbelieving wife, and she consents to live with him, let him not divorce her; and if any woman has an unbelieving husband, and he consents to live with her, let her not divorce her husband. But if the unbeliever departs, let him depart; for the brother or the sister is not enslaved in such cases." There he speaks of the obligation of cohabiting—just as I spoke. But the Apostle did not understand by freedom from the obligation of cohabitation a mere freedom from that obligation while the bond and yoke of marriage remain; rather, he meant full freedom, with the power of entering into another marriage, the bond and yoke of the former marriage being dissolved. In the same way I wished my words to be understood—namely, as all the theologians understand the Apostle's words. Therefore Barclay could have omitted more than half of this chapter 23.

He then comes closer to the point but, in attempting to undo the argument, entangles himself in a very serious error; for he speaks as follows:

"If by 'later marriages' he understands the argument, the reply is ready from that same decretal epistle of Innocent: namely, that between such spouses the marriage is not ratified with respect to the indissoluble bond of union; and therefore such spouses have full liberty to dissolve the marriage—so that either by mutual consent and friendly agreement, or even in anger or out of offense, they depart; and one, against the will of the other, whenever he pleases, dissolves that bond of marriage by repudiation and divorce." And later: "It is not therefore surprising if the spouse who has come to the faith is free from the companionship and power of the spouse who remains in unbelief; since even if both had remained in unbelief, it would have been equally free for either of them to depart from the other and to dissolve the marriage by repudiation, because at the beginning no ratified and firm bond of obligation intervened between them." And later: "Since, therefore, no ratified marriage exists among these, while political subjection and royal dominion among all nations and under every law—both divine and human—are ratified and approved, what could be more absurd or foolish than to compare these with one another, and to draw an argument from the fellowship and yoke of unbelieving spouses—who can cast it off at will—for rejecting the yoke of royal rule, and to judge the two as if they were plainly similar?"

I reply: It is astonishing that so great a jurist, from a single word of Innocent misunderstood, should have hurled himself into such an error. For when Innocent, in cap. Quanto (De divortiis), says that the marriage of unbelievers is not "ratified," he does not mean that it is dissoluble at will, but that it is not absolutely indissoluble as is the marriage of the faithful. It is dissoluble only in the case described by the Apostle, the Apostle himself declaring the will of God in that matter. That a marriage of unbelievers, legitimately contracted, is firm and indissoluble

except in that case is perfectly clear, first, from Innocent himself in the already cited cap. Quanto, where he says that the marriage of unbelievers is a true marriage; and a true marriage is defined as "the union of a man and woman maintaining an individual partnership of life," as in cap. Illud (De praesumptionibus)—a definition commonly approved by the canonists and also by the theologians with the Master of the Sentences (IV, dist. 27). Second, the same Innocent, in cap. Gaudemus (De divortiis), expressly teaches that repudiation is not lawful even among unbelievers; the same is found in the canon "Si quis Judaicae" (28, q. 1), where it is said that among unbelievers a repudiation has force in the forum of the law, not in the forum of heaven. Third, the Council of Trent, session 24, at the beginning ("Tametsi"), declares: "The perpetual and indissoluble bond of marriage was first pronounced by the father of the human race under the inspiration of the divine Spirit when he said: 'This now is bone of my bones and flesh of my flesh; wherefore a man shall leave his father and mother and cleave to his wife, and they shall be two in one flesh.'" Adam certainly spoke not only of Christian marriage but of marriage in general; therefore every true marriage has a perpetual and indissoluble bond. Fourth, there is the common opinion of the Doctors: for the Master of the Sentences (IV, dist. 33), together with Saint Bonaventure, Richard, Domingo de Soto, and very many others, teach that repudiation was permitted to the Jews by God through Moses as a lesser evil, but was never lawful either among the Jews or among the Gentiles. Others, not a few—such as Saint Thomas, Scotus, Durandus, and Paludanus —teach indeed that there was such a dispensation for the Jews concerning repudiation, but that Christ took away that dispensation so that afterwards it was no longer lawful either for Jews or Gentiles; for Christ's words are sufficiently clear in Mark: "Whoever marries a woman who has been dismissed commits

adultery," and "Whoever dismisses his wife and marries another commits adultery against her; and if the wife dismisses her husband and marries another, she commits adultery." Therefore Barclay cannot be excused, who, following the error of the Turks, wanted it to be lawful for unbelievers to separate marriages at will. And even if the Turks do this, they do it with manifest error. From all of this it follows that our argument—which Barclay tried in vain to dissolve—is altogether indissoluble. For if it is permissible for a faithful spouse, on account of the faith and religion, to break a bond otherwise indissoluble by which he or she was bound to an unbelieving spouse before conversion to the faith, how much more will it be permissible for a faithful people, on account of the faith and religion, to break the bond by which it was bound to an unbelieving ruler—especially if he strives to pervert a faithful people? For it is plain that the bond by which a people is bound to its ruler is weaker than that by which the wife is bound to her husband, since the bond of a people to a ruler has been and can still be dissolved for many reasons; whereas the bond of a wife to her husband, among Christians, can be dissolved in no case if the marriage is ratified and consummated; and among unbelievers it cannot be dissolved by right except through the conversion of one spouse to the faith while the other persists in unbelief.

CHAPTER TWENTY-FOUR
THE FOURTH ARGUMENT OF BELLARMINE FOR THE POPE'S POWER IN TEMPORAL MATTERS IS DEFENDED

In chapter 24 Barclay proposes the fourth argument which I had used to establish the power of the Supreme Pontiff in temporal matters even to the point of deposing princes in certain cases. The argument is this. When kings and princes come to the Church to become Christians, they are received under an explicit or tacit pact, namely, that they subject their scepters to Christ and promise to maintain and to defend Christ's faith, even under penalty of losing their kingdom. Therefore, when they become heretics or are harmful to religion, they can be judged by the Church and even deposed from their principate, and no injury is done them if they are deposed. Barclay recites the argument up to this point, although in my book more is added in confirmation of it.

He replies by granting the antecedent and denying the consequent. For, he says, although it is true that princes, when they come to the Church, subject themselves and their scepters to Christ, and spontaneously make those promises—either tacitly or expressly—which Bellarmine mentions, it is not true, nor does it

follow from this, that they can be judged and deposed by the Church or the Supreme Pontiff if they betray the faith and neglect the pact and the oath. For that supreme jurisdiction and temporal power of Christ over all kings and over the entire world, which He has as the Son of God, does not belong to the Church or to the Pope, but only that power which Christ assumed when He lived among men as a man. But Christ, while on earth acting as a man among men, usurped no temporal lordship or power; therefore neither the Church as Church, nor the Pope as head of the Church and Vicar of Christ, has any temporal power—as the same learned man explains and "proves" at length (De Pontifice, II, ch. 4).

I reply: Barclay's argument, by which he attacks the consequence of my argument, has a faulty consequence and a false antecedent; therefore it fights without force, with mere clamor of words. The consequence is faulty because even if the Church or the Pope did not have from himself the power to depose heretical princes, he would nevertheless have it from the very sworn promise and from the pact entered into with those princes when they were admitted to the Christian Church. This can be illustrated by an example: when kings entered into alliance with the Roman empire and swore fidelity to it, if later a king—an ally—defected to the enemies of the Romans, the Romans did not think they were doing that king an injury if they deprived him of his kingdom. For although before the alliance the Romans had no power over that king, yet the pledge given and confirmed by an oath gave them power. Next, the antecedent of Barclay's argument is false, as we have sufficiently shown thus far in a very lengthy disputation; and even from what Barclay admits in this place it can be demonstrated without difficulty. He admits that the Supreme Pontiff, as the Vicar of Christ, has the power which Christ had while He lived as a man among men. But Christ,

although He did not will to take away any temporal kingdom from those who possessed it, to assume it for Himself, or to hand it over to others, nevertheless whoever denies that Christ could have done this denies the Gospel itself. For what does Christ say in John 13? "The Father gave all things into His hands." If He had all things in His hands, surely He had power over all things; if He had power over all things, why could He not dispose of the temporal affairs of all men? Likewise in John 17 the Lord says to the Father: "You have given Him power over all flesh." By "all flesh" all human beings are understood. Therefore Christ as man on earth had power over all human beings, and hence also over emperors and kings, and He could, if He had willed, judge them, punish them, and deprive them of their kingdoms and empires. He showed some example of this power when He permitted the demons to rush into a vast herd of swine and drove them all headlong into the sea to be drowned; nor did He fear that perhaps He would do injury to those who, from the loss of so numerous a herd—which, according to Saint Mark, amounted to about two thousand—suffered no small damage. The Lord judged it expedient for the glory of God to dispose of that temporal property even to the detriment of its owners, so that it might be known how great a multitude of unclean spirits had possessed the man, and with what ease He, by His mere command, had driven out so great a number of demons.

What Barclay adds—that I had taught the Church, as Church, or the Pontiff, as head of the Church and Vicar of Christ, to be unable to have any temporal power—is sheer imposture. I taught only this: that the Pope's power is directly spiritual, but indirectly extends to temporal matters and even to the deposition of earthly princes (potestas indirecta). And why, I ask, does Barclay labor so much in examining and refuting Bellarmine's arguments for confirming the Papal power in temporal matters, if Bellarmine

agrees with Barclay in denying Papal power in temporal matters? But my books have been reprinted often; a reader can easily judge whether in the same book I fight with myself, or whether rather Barclay plays the impostor, relying on the saying of the famous poet: "In war one asks not whether it be deceit or valor." Barclay then adds another reply; for he was not so dull as not to see that the previous solution had no force. He says therefore: "All these things princes indeed promise to Christ, with the Church accepting the promise as His spouse, in whose bosom they are reborn, or with the Pope himself accepting it, not as a mere man, but as the minister of Christ God, providing vicarious service; and consequently the obligation is principally incurred to Christ Himself through the Church or the Pope." And later: "If they later neglect or entirely despise the agreement, they can be punished only by Him in whose name they swore, who is the Lord of all temporal things and whom alone they have above themselves as judge in temporal matters—not by him to whom is entrusted only the care of spiritual things and of receiving the promise."

I reply: The promise by which unbelieving princes, when they come to the Church, pledge that they will be faithful, will defend the Church, will never depart from it, and will not attack it under penalty of deprivation of the kingdom—such a promise is indeed directed primarily to Christ; yet the transgressors can be punished not only by Christ immediately and in His own person, but also afterwards by Christ's Vicar, who, with authority received from Christ, governs the Church, and who can punish transgressors of the pact and of the oath. We see this daily: those who swear fealty to an absent king before the viceroy are punished immediately by that viceroy if they attempt defection; clerics who promise obedience to an absent bishop before his vicar general, if they become contumacious, are thrown into prison and punished by that same vicar.

"But," says Barclay, "the king himself rarely receives the oath of fealty; for the most part the chancellor performs that function. The chancellor, when he admits nobles swearing in the king's name to fiefs and dignities, performs in civil administration and temporal jurisdiction under the king the same role that the Pope performs under Christ in the spiritual governance of the Church, when he receives princes coming to it with a sworn sacrament of fealty and piety toward God. And just as that chancellor cannot, for any cause, take away a fief from the client once received, even if later he should break faith and commit the crime they call 'felony'—because the fief belongs to the king alone and is in no way granted to the chancellor—so neither can the Pope deprive of their kingdoms and dignities, or otherwise punish temporally, princes once received into the Church, however gravely they may later offend and become deserters of the faith."

I reply: This entire argument comes from Barclay's deception in likening the Supreme Pontiff to a chancellor, who has no jurisdiction. The likeness is far from the truth. Holy Scripture attributes to the Pontiff true power and jurisdiction, and that the most ample and supreme. For when it says in Matthew 16, "Whatever you bind … and whatever you loose," it denotes not the office of a chancellor but the office of a ruler who has jurisdiction. And the words in John 21, "Feed my sheep," attribute to the Pontiff over Christians not the office of a chancellor in a kingdom, but that power which a shepherd has over his sheep—namely, to govern them, to bind them, to strike with his staff, and to compel them to every obedience. Likewise what the Apostle says in Acts 20: "Take heed to yourselves and to the whole flock in which the Holy Spirit has placed you as bishops to rule the Church of God," signifies not the office of a chancellor but that of a ruler and superior. Finally, that saying of Matthew 24, "Who, do you think, is the faithful servant whom the Lord has set over His

household?" shows us not a chancellor's office but that of a steward of the household who presides with power over the whole family. Therefore the Supreme Pontiff ought to be compared not to a chancellor, but to a viceroy in a kingdom, or to a vicar in a bishopric, or to a governor in a city, or to a superior in a household, or to a head in a body. These things I say on the hypothesis of Barclay's opinion that when princes come to the Church they pledge obedience and fealty to Christ alone. But that opinion is false, and in no way can we admit it. For princes pledge obedience and fealty—expressly or tacitly—not to Christ alone, but also to those who in this world hold Christ's place. To this pertains the confirmation of the argument which I appended to my fourth reason, and which Barclay recounts at the end of chapter 24, while he says he does not know, or pretends not to know, what it is aimed at. "As to what," he says, "he subjoins to this fourth reason ('For he is not fit for the sacrament of Baptism who is not prepared to serve Christ and for His sake to lose whatever he has; for the Lord says in Luke 14: "If anyone comes to me and does not hate his father and mother and wife and even his own life, he cannot be my disciple.'")—to what that tends, I do not see. No one certainly denies this; but what follows from it? Such an argument pertains no more to the point at issue than what is most remote; just as neither does what follows in the same place ('Moreover, the Church would err gravely if she were to admit any king who wished with impunity to foster any sect he pleased, to defend heretics, and to overturn religion.'). This is most true; but, as I said, it does not pertain to the point at issue. For the question here is not about that matter, but about the temporal power of the Church or of the Supreme Pontiff."

I reply: I show how those statements pertain to the matter and bear most directly on the point at issue. Let us imagine some unbelieving king coming to the Church and speaking in Barclay's

preferred fashion as follows: "I desire to become a citizen of the saints by Baptism, and I solemnly promise that I wish to subject my scepter to Christ, to defend His Church to the utmost of my power, and I protest that I will never fall away from this holy purpose. Yet if perchance I should break faith, if I should become a heretic, an apostate, a pagan; if I should attempt to persecute the Catholic religion and to overthrow it utterly—I do not wish to be punished by the Church or by its head with any temporal penalty, but only by Christ Himself. And if perchance the head of the Church, by a sentence of excommunication, were to expel me from the assembly of the pious, I nevertheless will that the faithful sons of the Church be bound to serve and obey me as king, and that they can in no way be absolved from this bond of obedience." I ask Barclay now whether such a king could be admitted by the Church as fit for Baptism. He will, I think, answer "yes"; but he will be mocked by the prudent. For if someone wished to be granted citizenship in an earthly commonwealth and professed that, should he become a traitor to the state, he did not wish to be able to be punished by the head of the state but only by the king dwelling in a far-off region, who would not laugh? Surely he who, according to the Gospel, must be prepared to expose even his life for the faith of Christ, ought to be even more prepared to lose an earthly kingdom. Yet it is ridiculous to say: "I am prepared to be deprived of my kingdom if I break faith; but I do not wish to be deprived by the sentence of men—I want the sentence to be pronounced by angels from heaven." Surely the Church would be very imprudent if she were to admit into her bosom one who wished to be able with impunity to trample on the members of the Church and who was unwilling that a faithful people be able, by the authority of any mortal man, to be freed from his tyranny.

CHAPTER TWENTY-FIVE
THE FIFTH ARGUMENT OF BELLARMINE FOR THE POWER OF THE SUPREME PONTIFF IN TEMPORAL MATTERS IS DEFENDED

In chapter 25 Barclay examines my fifth argument and first reports it in these words: The fifth and last argument is drawn from pastoral care and office. When it was said to Peter, "Feed my sheep" (John 21), there was given to him every capacity necessary to a shepherd for protecting the flock; and a shepherd needs a threefold power—one with regard to wolves, that he may keep them away by every means he can; a second with regard to rams, that if at any time they wound the flock with their horns he may be able to shut them up; a third with regard to the other sheep, that he may give to each their suitable pasture. Therefore the Supreme Pontiff has this threefold power.

After reporting this, Barclay subjoins: "From this principle and foundation three arguments, as it seems to him, pressing, are deduced. But, lest I go too far afield, I reply first to that very foundation, that the whole is true and to be granted; and from it the contrary of what he asserts is most beautifully gathered." So he says, and after much empty verbiage he formulates this syllogism: "By committing His sheep to Peter, Christ gave him all

power necessary to protect the flock. But he did not give him temporal power. Therefore temporal power is not necessary for protecting the flock."

I reply: If by "temporal power" Barclay wishes to be understood as meaning a power which in itself is properly and formally temporal, the argument can be granted; but I deny that it follows that the Supreme Pontiff does not need a power which, although in itself spiritual, nevertheless can extend to temporal matters insofar as they are referred to spiritual ends and subordinated to them. But if by "temporal power" he understands the power of disposing of temporal things in their relation to spiritual goods, then I say his minor is false; and I add that Barclay's syllogism suffers from the most notorious fault in the art of reasoning—he assumes and asks to be granted what is in question. He assumes that no temporal power was given to Saint Peter, as if that very point were not what he is trying to prove in his whole book. And certainly if one were allowed to argue in this way, I too could reason thus: Christ gave to Peter only that power which is necessary to protect and to feed the flock; but He gave a spiritual power which extends to temporal matters as they are referred to spiritual ends; therefore such a power is necessary for protecting and feeding the flock. But let us hear another syllogism of Barclay's, not unlike the first. "Then," he says, "we proceed as follows. It is absurd that the Supreme Pontiff, insofar as he is the successor of Blessed Peter, should have more power than Peter had. But Peter had no temporal power over Christians. Therefore neither does the Supreme Pontiff now, insofar as he is his successor."

And, lest it be objected here too that he is assuming what ought to be proved, he "proves" the minor from Bellarmine (De Pontifice, V, ch. 6), where I say that spiritual and temporal power are like spirit and flesh: and just as spirit and flesh can be

conjoined, as in man, and separated, as in angels and beasts, so too spiritual and temporal power can be conjoined, as they now are among Christians, and separated, as they were in the time of the Apostles when there was in the Church no political prince. From these Barclay infers thus: "If these powers were separated in the time of the Apostles, as indeed they were both de jure and de facto, it necessarily follows that the blessed Peter had no temporal power; otherwise it would be false that they were separated."

Barclay so esteems this argument that a little later he says: "Indeed these reasons are clearer than those against which anyone could resist and struggle without fraud; so that it is a wonder that learned men and other pious persons should be so blinded by a certain inconsiderate zeal that they do not hesitate to embrace and follow things doubtful as if certain, obscure as if clear, twisted as if straight, and finally matters entangled and involved in many controversies and contradictions as if straightforward." He continues to the end of the chapter to proclaim his reverence for the Apostolic See, to rebuke our blindness, and in his own fashion repeats many of the things he had said before.

I reply: Bellarmine spoke most truly in saying that spiritual—or ecclesiastical—power is most similar to spirit, and temporal—or political—power to flesh; and before Bellarmine Saint Gregory Nazianzen, Hugh of Saint Victor, Saint Thomas, Alexander of Hales, Thomas Waldensis, and others used the same likeness to explain this matter. It is no less true that these powers were separated in the time of the Apostles, in the way that an angelic spirit is separated from flesh and the flesh of brute animals is separated from spirit; and that now they are conjoined, in the way that spirit and flesh are conjoined in human beings. From these truths it is rightly concluded that Saint Peter had Apostolic power —that is, a supreme and most ample spiritual and ecclesiastical

power—and that he did not have royal or imperial power or any other power merely temporal and political. But it is not rightly concluded that Peter's spiritual power could not extend itself to all temporal matters and even to kingdoms and empires so as to direct and correct them if kings and emperors should become Christians. Therefore the difference between the apostolic time and ours does not concern the power—which was always the same in Saint Peter and in his successors—but concerns the subject-matter, that is, the exercise of the power. Then the Apostolic power was not exercised in directing kings, because there were no kings in the Christian Church, of which Church Christ's Vicar is the pastor and ruler; but now that same power is exercised in directing and correcting kings, because kings and political princes are not lacking in the Church. To illustrate this with examples: surely human spirits separated from their bodies are the same spirits which they were earlier when they animated bodies, and they have the very same power which they previously had; nevertheless, now that they are separated, they do not rule bodies as they once ruled them, and again after the resurrection they will rule them. Likewise angelic spirits, whether good or bad, while they assume no bodies, do not exercise power over bodily members; but when they either join aerial bodies to themselves or enter into human bodies, they move those bodies at a nod and command and govern them. Yet no one so imprudent will think that angels acquire a new power when they assume bodies. Similarly, when in a human body some member is cut off and separated from the rest of the body, the spirit cannot move that member or rule it—not because the spirit lacks power, but because the member is lacking in which the spirit might exercise itself by moving it. Finally, at the beginning of the Christian Church, before the Apostles ordained deacons, the Apostles could not use deacons nor command them; but after

they were ordained the Apostles used them and commanded them. Shall we then concede that the Apostles lacked some ecclesiastical power before deacons began to exist in the Church? We shall indeed concede this, if we play the fool with Barclay, who from the lack of matter infers a lack of power. From all this it appears how light are Barclay's arguments, which in his judgment seemed indissoluble demonstrations.

CHAPTER TWENTY-SIX
THE FIRST PART OF THE FIFTH ARGUMENT FOR THE POWER OF THE SUPREME PONTIFF IN TEMPORAL MATTERS IS DEFENDED

In chapter 26 Barclay undertakes to refute the first part of my fifth argument. The reasoning was this: A shepherd needs power regarding wolves, that he may keep them away from the sheepfold by every means possible; now the wolves who devastate the Church are heretics; therefore if some prince, from being a sheep or a ram, becomes a wolf—that is, from being a Christian becomes a heretic—the shepherd of the Church will be able to keep him away by excommunication, and at the same time to command the people not to follow him, and consequently to deprive him of the dominion he has over his subjects.

Replying to this reasoning Barclay grants everything except that last part of the conclusion in which I said that the shepherd could command the people not to follow their king any longer. He distinguishes this part and says: The shepherd can indeed command the faithful not to follow a heretical king in his heresies, but he cannot command them not to follow him in political matters. He adds that a heretical king can indeed be deprived of the fellowship of the faithful in sacred things, but that

even this should not be done if there is danger of schism and scandal and greater evils, as Augustine teaches (Contra ep. Parmeniani, I, ch. 2)—a matter I discussed in chapter 9, where Barclay treated these same points at greater length. I have already noted that Barclay spends a great part of his book in repeating the same things.

Passing over these, the whole reason why Barclay denies that the Supreme Pastor can forbid the faithful to render obedience to a heretical king even in political matters is that obedience is owed to kings by divine law, and no human being, not even the Supreme Pontiff, can dispense from divine law. To prove this he adduces the rescript of Innocent III who, in cap. Cum ad monasterium (De statu monachorum), says: "A dispensation cannot be granted to a monk to take a wife or to have property." Here he discusses at length divine and human law and the marriage of Constance, daughter of King Roger, who, though a religious, is said by dispensation of Pope Clement III to have married the Emperor Henry VI.

But above I have shown that Barclay's reasoning has no force. For it is of divine law that an inferior obey a superior so long as he is superior; but if he ceases to be superior, the precept of rendering obedience to him ceases as well. We showed this from many parallels. It is of divine law not only that a people obey a king, but also that children obey a father, servants a master, wives their husbands; and yet if the son is emancipated, if the servant is granted liberty, if the wife is separated from the husband by divorce or repudiation, they are no longer bound by that divine law. Likewise a sworn promise is by divine law to be kept, and yet if he to whom the promise was made releases it, the one who promised is not bound to fulfill it. Restitution is sanctioned by divine law; and yet if the creditor remits the debt, no obligation of restitution remains. Many similar examples could be added.

Thus, by divine law the people are bound to serve the king while he is king; but if the king ceases to be king—which can happen in many ways—no obligation of subjection or obedience remains. And it is not of divine law that a king cannot be deposed for just causes; much less is it of divine law that the Supreme Pontiff cannot declare a heretical king not to be a legitimate king and that no obedience is owed to him by the faithful people.

As for cap. Cum ad monasterium (De statu monachorum), that matter is easy: Innocent teaches only that marriage and ownership of property cannot consist with the state of monks, since continence and poverty belong to the essence of monastic life. Therefore the Supreme Pontiff cannot make the same man both a monk and a married man, both a monk and rich in particular possessions. It is another question whether the Supreme Pontiff can dispense a monk to pass from the monastic life to the secular life and, once become a secular, to enter marriage and to hold his own goods. About this the doctors hold various opinions. As to Constance the daughter of King Roger: we think the tale is a fable—that she, being a religious and an old woman, married Henry VI by dispensation of Clement III. For Godfrey of Viterbo, who educated Henry VI in letters and morals, writes that Henry's marriage with Constance was celebrated at Milan in the year of salvation 1186, while Urban III sat on the Apostolic See, Constance herself being in her thirtieth year; from which it follows that it is false that Clement III dispensed her from monastic vows—or, as others say, Celestine III; or, as still others, Alexander III—for the last of these had already died, and the others had not yet begun to sit. It is likewise false that she married when she was a little old woman of more than fifty years; finally it is false that she had been a religious earlier, since none of those who lived at that time writes this. See Cardinal Baronius, Annals, vol. 12, under the year 1186.

CHAPTER TWENTY-SEVEN
WHETHER A VOW OR AN OATH BINDS MORE

In chapter 27 Barclay, to seek supports for his cause from every quarter, compares the vow of monks with the oath by which peoples promise fealty and obedience to kings. He says that the Pope, according to the opinion of some doctors, can dispense from the vows of monks; but even if this be granted, it must not be admitted that he can dispense from the oath by which peoples bind themselves to obedience to a king. Barclay therefore appears to hold that the bond of an oath is greater than that of a vow; yet the contrary is explicitly maintained by Saint Thomas (II–II, q. 89) and by nearly the whole theological school (Sentences IV, dist. 39). For a vow is a promise made to God; an oath is a confirmation of a promise made to a human being. But a man is more strictly bound to fulfill a promise made to God than to a man. Further, he who violates a vow is faithless to God; he who breaks an oath commits the crime of irreverence toward God. Yet the crime of faithlessness is graver than that of irreverence, since every faithlessness toward a superior contains irreverence, but not every irreverence is faithlessness. Therefore he who breaks a vow sins more gravely than he who violates an oath; hence a vow binds more than an oath. Finally, a vow is an absolutely good thing; an oath is good only under compulsion of

necessity—otherwise the Lord says in Matthew 5: "But I say to you, do not swear at all," and James in his epistle (ch. 5): "Above all, my brethren, do not swear." Nowhere do we read, "Do not vow"; rather, the king and prophet David exhorts, saying in Psalm 76: "Vow and pay to the Lord your God." Therefore a vow is more noble than an oath, and thus he sins more gravely who breaks a vow than he who violates an oath; accordingly a vow binds more than an oath. Wherefore, if the Supreme Pontiff can dispense from vows, much more can he from oaths.

But Barclay resists with this argument: "The whole monastic order, and others in the Church, as some wish, have proceeded from human constitutions and positive law; therefore the Pope has full and complete power over them, as I said a little earlier. But submission and obedience owed to kings and princes and to all prelates and superiors whatsoever belong to natural and divine law, confirmed by both Testaments. For although it is of human law that we use this or that form of commonwealth, or that we have this or that prince, nevertheless, that we reverence the one whom we have once accepted, and that we humbly obey him in all things that do not conflict with God's commands, is a matter not only of human but of natural and divine ordinance."

I reply: This argument totters on every side; it has nothing solid or firm. For the assertion that the whole monastic order has proceeded from human constitutions and positive law is not only false but heretical, since the evangelical counsels, on which the monastic order is founded, proceeded not from human constitution but from the very mouth of our Lord and God Jesus Christ. I have treated this at length in my book On Monks, and no Catholic denies it. Next, all Catholics teach that the monastic vows themselves, in which the essence of monastic life consists, are of divine law; and even Barclay himself confessed this a little earlier. Whence, then, does he now say that the whole monastic

order has proceeded from human constitutions and positive law? Moreover, if—as he assumes in this very argument—submission owed to kings and princes and to all prelates and superiors belongs to natural and divine law as confirmed in both Testaments, then the submission owed by monks to their prelates and superiors belongs to natural and divine law confirmed in both Testaments. Whence does Barclay infer that the Pope can dispense from the obedience and submission of monks to their prelates and superiors, but cannot dispense from the obedience and submission of peoples to kings and princes, when both obediences are of natural and divine law confirmed in both Testaments? Indeed, since the obedience of monks has a vow—and that a solemn one—attached to it, while the obedience of peoples is confirmed by a simple oath, it seems altogether easier for the Supreme Pontiff to dispense in the obedience of peoples than in that of monks, since the bond of a vow is greater than that of an oath, as the theologians teach. Finally, just as—Barclay himself being witness—it is a matter of human law what form of commonwealth we use and that we have this or that prince, but that, after we have accepted someone as prince, we obey him is a matter of divine law; so too it is of human law by what rite and form of life monks live and that they have this or that prelate, and yet that they obey the one whom they have once received as prelate is a matter of divine law. Therefore all things are parallel, and there is no reason why the Supreme Pontiff can dispense in the one and not in the other—that is, why he can absolve monks from the bond of obedience promised to their prelate and not absolve a subject from the bond of obedience promised to his king.

Barclay proceeds and frames an argument from the nature of vow and oath—a line of argument which contributes little to the point, though he proposes it with great verbosity. I will compress

it into a few sentences so that the force of the argument may appear. He reasons thus: A vow is a promise made to God and to the Church, so that God is considered the principal creditor. But the Pope, who is God's Vicar and the head of the Church, standing in the place of Christ, can declare that it does not displease God and the Church that such a promise, for some just cause and one more pleasing to God than the fulfillment of the promise, be remitted and condoned to the one who vowed. But an oath by which some pact or pledge is sealed does not make God properly the creditor, but the man with whom the pact is made and to whom the sworn promise is made. This is clear because a human creditor can, even without any cause, free the debtor and release him from the oath if he wishes freely to remit the promise made to him; and here there is no place for the interpretation or declaration of the Supreme Pontiff, since the creditor himself speaks for himself. Therefore the Supreme Pontiff cannot release men from an oath, because he would deprive the creditor, against his will, of an obligation acquired by him by the best right and lawful by every divine and human law.

I reply: When the Supreme Pontiff releases men from an oath, he does not take away a right acquired from a just and lawful obligation; rather, either he declares the obligation and the promise to have been unlawful or to have become unlawful—as when he absolves peoples from an oath of fealty rendered to a heretical prince or to one who later fell into heresy—or he removes the bond of the oath while leaving the promise in its force, for this end only: that the one who promised might be able, without the peril of sacrilege, to pursue his right before the lawful judges.

These things were not unknown to Barclay, professed as he is in jurisprudence; therefore he subjoins: "But be it so that he can, for a cause, remove the bond of the oath and free the promise

from the tie of the oath (lest I contend here any further with the canonists about this matter). Let him remove it, then; what consequence, in our present case, seems to follow? You will say: the people will immediately be free from the rule and subjection of the prince as soon as they are freed from the bond of the oath. Is that so? Do you not perceive that this oath is only an accession confirming that obligation by which fealty and obedience are promised to the prince? Do you not know that accessions can be taken away and released without the destruction of the principal obligation? The obligation, therefore, remains to which the oath had been added. And since this obligation is of natural and divine law, it binds the minds and consciences of men before God no less than if it were sustained by an oath."

I reply: As I said above, the bond of an oath can indeed be removed even if the obligation of the promise is not removed. But when the Supreme Pontiff, on account of heresy or another just cause, releases peoples from an oath of fealty, he also is accustomed at the same time to release them from the bond of the promise and to command that the peoples no longer obey him to whom they had made the promise of obedience. That the Pope, as the Vicar of Christ, can do this we have shown above from the doctors and councils and even from the divine Scriptures themselves; and many years ago I showed the same by five theological reasons. Neither could Barclay, with all his arguments and quibbles, refute those reasons. For when he repeats here again and again that the obligation to obey kings is of natural and divine law, we have more than once explained that this is to be understood of the obligation to obey kings while they are kings; but it is not of natural and divine law that a king cannot be deprived of his kingdom if he becomes a heretic; and reason and frequent practice have demonstrated this most clearly.

"But," says Barclay, "this is the axiom on which Bellarmine chiefly relies when he wishes to show that the Pope cannot subject himself to the coercive sentence of councils: 'For' (he says, De Conciliis, II, ch. 18) 'the Pope's power over all is of divine law; but the Pope cannot dispense from divine law.'"

I reply: If the Pope were to subject himself to the coercive sentence of councils or of whatever princes, he would truly subject the superior to inferiors and thus fight against divine and natural law. For by divine law the Pope is the pastor and father and superior of all Christians and thus superior to all who are his sheep and children and subjects; and by divine law a superior cannot be judged by an inferior in a coercive judgment. But when the Pope judges a king or even deposes him, he does nothing contrary to the divine law, since the superior judges the inferior—the shepherd judges the sheep, the father his son, the superior his subject—and this is most consonant with divine law and with natural reason. For although kings do not acknowledge any superior in temporal matters—or acknowledge none directly except God—yet they ought to acknowledge a spiritual superior whose power extends to temporal matters insofar as these are subordinated to spiritual ends, as has been said more than once above.

Finally Barclay speaks thus: "Lest we go astray, we must hold that the plenitude of Apostolic power includes only that power which the Lord Jesus, the Son of God, willed to have when He lived in this world as a man among men; and thus the Pope represents Christ to us and is His Vicar—not that power which, as the Son of God, God Himself equal to the Father, He had from eternity and reserved to His divinity and omnipotence, of which He says: 'All power is given to me in heaven and on earth.'"

I reply: I not only admit what Barclay here requires—that the plenitude of Apostolic power is not equal to the omnipotence of

Christ's divinity—but I add also that it is not altogether equal to that power which Christ, as man, willed to have and did have on earth. For Christ, even while mortal among mortals, had the power which the theologians call a power of excellence, by which He could institute the sacraments and remit sins without the sacraments and the like—powers to which the plenitude of Papal power does not reach. Therefore I am not among those of whom John of Torquemada wrote (on can. Conjunctiones, 35 q. 2): "It is indeed strange that the Supreme Pontiffs speak moderately of the power given to them, and certain lesser doctors, without any true foundation, wish by flattering them to make them equal to God." Nevertheless I confidently affirm that our Lord Jesus Christ could, in the time of His mortality, dispose of all temporal things and deprive kings and princes of their kingdoms and lordships; and that He without doubt granted this power to His Vicar—that he might use it when he judged it necessary for the salvation of souls, which above all ought to be his care.

CHAPTER TWENTY-EIGHT
A DIGRESSION CONCERNING THE MEANING OF CAP. INTER CORPORALIA (ON THE TRANSLATION OF A BISHOP)

In chapter 28 Barclay inveighs against the canonists, whom he says attribute to the Pope every power, divine and human, on the basis of a true sentence torn from the context of the words of Pope Innocent III that are found in cap. Inter corporalia (De translatione episcopi). There Innocent says that the bond of spiritual marriage, which is between a bishop and his church, is stronger than the bond of carnal marriage between a man and a woman. And since the bond of carnal marriage cannot be dissolved by a man, according to Matthew 19, "What God has joined together, let not man separate," while the bond of spiritual marriage the Pope often dissolves, it seems to follow that either Innocent wrote falsely, or he wished to make the Pope equal to God.

But since this dispute does not pertain to our subject, and since Barclay inserted this digression into his book only to obtain an occasion for censuring the canonists—for in this chapter too he boldly writes that nothing is more unskilled than mere canonists; and in the next chapter he does not hesitate to say that

Innocent IV and John Andreae, the acknowledged leaders of the canonists, explained this passage of Innocent III most ineptly—I will not be lengthy in refuting this chapter. The canonists, among whom many very learned men are found, do not need my defense, nor do I have such mastery of the canons as to dare to profess myself a patron of the canonists. This one point I wished to note: that Barclay appears a calumniator when he says that the canonists attribute divine authority to the Supreme Pontiff from Innocent's words misunderstood. The contrary is closer to the truth: some of them, because of that canon, do not fear to detract from the Pope or to restrict him. The Gloss certainly, where Innocent says that the spiritual bond is "stronger," corrects it by saying "more worthy," not "stronger"; and Hostiensis in his Summa (De electione, n. 21), as Barclay himself reports here, says: "That argument is not sufficient, saving the authority and reverence due to the one who gave it." Finally neither Innocent IV nor John Andreae, nor the Abbot of Panormus, nor Ancaranus, nor any other of those whom I have been able to see, attribute divine power to the Supreme Pontiff from the words of Innocent III, as Barclay calumniates.

CHAPTER TWENTY-NINE
ON THE TRUE SENSE OF CAP. INTER CORPORALIA (ON THE TRANSLATION OF A BISHOP)

In chapter 29 Barclay, having rejected the explanations of others, offers his own opinion about the true sense of cap. Inter corporalia (On the Translation of a Bishop); and in sum he says that the words of this chapter are at odds with the mind of the legislator, so that the Pope thought one thing but wrote another. But what is this except to make the Pope either ignorant—who did not know how to express his mind—or malicious—who wished by lying to deceive his readers? Yet Innocent, by everyone's consent, was an excellent and most wise Pope; far from him were both ignorance and malice. I shall therefore say what it seems to me the Pope wished to teach in this obscure chapter; and, unless I am mistaken, I shall show that the words of the chapter are not only in themselves most true but also most apt for expressing the Pope's mind. The Pope says that the bond of spiritual marriage is stronger than that of carnal. This is true for the following reason: the bond of spiritual marriage cannot be entirely dissolved—not even by death; for the episcopal character remains always impressed and can be erased by no force. But the bond of carnal marriage is dissolved by death in such a way that, if a husband deceased were to return to life, he could not reclaim

the wife whom he had married while living, as the Apostle teaches in Romans 7. Next, the bond of spiritual marriage can be dissolved only by the Supreme Pontiff—not indeed altogether, as I said, but with respect to the particular church to which the bishop had been joined. For Christ's Vicar alone—by transferring bishops, or by deposing them, or by granting them the faculty of resigning—dissolves the bond by which they were bound to their churches. But the bond of carnal marriage is sometimes dissolved lawfully and freely by the contracting parties themselves. For a ratified but not consummated marriage can be dissolved by either spouse, if he or she wishes to enter a religious order, according to the Council of Trent (session 24, can. 7); and in this matter no faculty needs to be sought from the Supreme Pontiff. Likewise, a marriage contracted and consummated between unbelievers—which is truly a marriage—can be dissolved when one spouse converts to the Christian faith and the other remains in unbelief, according to the Apostle (1 Corinthians 7). Likewise, in the Old Testament even consummated marriages were often dissolved by the spouses themselves through a bill of repudiation, and they did not await the authority of the Pontiff (Deuteronomy 24). Finally, marriages ratified and consummated among the faithful can be dissolved with respect to bed and cohabitation, for certain causes, by particular bishops; but spiritual marriage cannot be dissolved, not even with respect to cohabitation, by anyone other than the Supreme Pontiff. From these points it is plainly gathered that the bond of spiritual marriage, which can be dissolved by the Pope alone, is firmer and stronger than the bond of carnal marriage, which is dissolved by the spouses themselves or by inferior priests. And to this Innocent seems to have had regard, whose purpose in that chapter was to teach that translations of bishops cannot be made without the consent of the Supreme Pontiff.

CHAPTER THRITY

REPLIES TO OBJECTIONS AGAINST THE FIRST PART OF THE FIFTH ARGUMENT FOR THE POWER OF THE SUPREME PONTIFF IN TEMPORAL MATTERS

In chapter 30, after long digressions, Barclay returns to the first part of Bellarmine's fifth argument which, in chapter 25, he had undertaken to refute. He says: "We admit indeed his proposition—that a shepherd needs power regarding wolves, that he may keep them away by every means he can. We admit also the assumption—that the wolves who devastate the Church of God are heretics. From these he concludes as follows: 'Therefore if some prince, from being a sheep or a ram, becomes a wolf—that is, from being a Christian becomes a heretic—the shepherd of the Church will be able to keep him away by excommunication and at the same time to command the people not to follow him, and consequently to deprive him of his dominion over his subjects.' This is a faulty collection; in good dialectic it should be replaced with: 'Therefore if some prince, from being a sheep or a ram, becomes a wolf, the prince of the Church will be able to keep him away by every means he can.'"

I reply: There is no fault here; rather I expressed briefly what could have been said at greater length. For the means by which the shepherd of the Church can and is accustomed to keep heretics—like wolves—away from his fold are these: that by the sentence of excommunication he remove them from commerce with Catholics, and by absolution from the bond of subjection he bring it about that the Catholic people no longer follow a heretical prince. Nor was it my purpose, in writing books, to form syllogisms strictly according to figures and modes, as those do in the schools who dispute a proposed question for the sake of exercise, but to set forth and show the force of reasons—as others do who write theological books. "But," says Barclay, "although the shepherd of the Church can by his right excommunicate a heretical king, yet he cannot, by right, absolve the people from the oath of fealty or command that the Catholic people not follow a heretical king in political matters, since this conflicts with divine and natural law."

And lest we perhaps object that he has not kept the form of argumentation, he frames this syllogism: "The Supreme Pontiff can command nothing and dispense from nothing that is against natural and divine law. But subjection and obedience owed to princes and superiors are of natural and divine law. Therefore the Supreme Pontiff can command nothing and dispense from nothing against this; and consequently he cannot command subjects not to obey their temporal prince in that wherein he is prince and superior; and if he should command this in fact, it will be lawful for subjects—since he is adjudging outside his territory—to disobey with impunity. Both premises are most certain; from them the conclusion follows by necessary consequence. Whoever can enervate the force of this argument will do me a great favor; for my part, frankly confessing the

weakness of my mind, I do not quite see how it can be refuted by any solid reasoning."

I reply: All these points were refuted in chapter 26. Barclay brings nothing new here, but in his manner repeats the same points in new words. Yet, lest he complain that we have not replied in form to his indissoluble demonstration, I distinguish the minor premise. When he says: "But subjection and obedience owed to princes and superiors are of natural and divine law," if he understands this of princes and superiors during the time that they are legitimate princes and superiors, he assumes truly; but he can conclude nothing from it. For heretical princes, after the sentence of the Supreme Pontiff declaring them excommunicated and deposed, are no longer legitimate princes or superiors. But if he understands it of princes and superiors at any time whatsoever —even after their power has been abrogated—he assumes falsely; nor can there be any doubt about this matter. For by divine law subjects are bound not only to obey the king as supreme but also the governors as sent by him, as Saint Peter writes in his first epistle, chapter 2; and yet, after the king has abrogated the governor's power, they are no longer bound to obey him—just as they are not bound to obey the king himself when by right he has been cast down from the royal throne. Therefore, if Barclay had wished to bring something solid, he ought to have proved that when once they have attained the principate, princes of the earth are by divine law so established in their principate that by no force and by no right can they be deposed from their principate. But this, on which the whole hinge of the question turns, he has never been able to prove.

"But," he will say, "let it be that princes can be deposed; nevertheless they cannot be deposed except by a superior." I reply: The Pope is altogether superior, since he is the Vicar of Jesus Christ—not of a mere man but of God and man—and

therefore, in Christ's stead, he is the pastor and father and ruler and head of all Christians, even of princes, kings, and emperors, as has often been said and as is manifestly deduced from the divine Scriptures themselves.

"But," says Barclay, "the Pope is indeed superior, but not in the same species of superiority; he is superior to kings and princes in divine and spiritual things. In temporal matters, however, the Popes themselves admit that they are not superior to kings, as is known from cap. Per venerabiles (Qui filii sint legitimi), where the Pope says that the king has no superior in temporal matters."

I reply: All these points have been treated and discussed above. We showed that the Pontiff is superior to kings even in temporal matters when it is necessary, for spiritual reasons, to dispose of temporal things, which ought to be subordinated to spiritual. We showed this from the common opinion of the doctors—with more than seventy testimonies adduced—likewise from no few general councils of the Church, and finally from a reasoning grounded in divine Scripture. Against this Barclay brought nothing except tragic outcries and inflated but empty words. As to what Innocent writes—that kings have no superior in temporal matters—this is most true in the sense in which Innocent says it, namely, that kings are supreme temporal rulers and have no other kings or emperors above them, except God, who is King of kings and Lord of lords. But this does not prevent kings from having over them a spiritual superior endowed with such power that he can direct temporal matters to spiritual ends, since the order of things demands that temporal power be subject to spiritual power when they come together and form one Church—just as in man the body is subject to the spirit and is ruled by it and, when necessary, is corrected and chastised.

Afterwards Barclay subjoins a very long apostrophe of the peoples to the Pope, in which he attributes to the peoples, by repeating yet again what he has repeated a thousand times, statements that might perhaps move the unlearned and light-minded; but prudent and wise men will easily understand that these are the refuges of the wretched who, since they cannot prevail by force, seek to extort by groans and importunity. Nevertheless, lest the reader think that we wish to avoid the labor of replying or that what Barclay says in the person of the people is greater than it really is, I shall frame a reply in the form of a dialogue and introduce the people speaking with Barclay's words and the Pope answering with mine.

CHAPTER THIRTY-ONE

A DIALOGUE BETWEEN A PEOPLE EXCESSIVELY DEVOTED TO AN EARTHLY KING, AND A POPE PROVIDING SALUTARY COUNSEL TO THE PEOPLE

Pop. Most holy Father, you are by no means superior to our king in temporal matters; therefore you cannot impede the temporal obedience which we render him.

Pont. When your eternal salvation is endangered because of the temporal obedience you render your king, then I am altogether superior to your king even in temporal matters. For I must direct both him and you toward eternal life and remove every obstacle that hinders this journey.

Pop. Why do you forbid us to do what God commands us to do?

Pont. Far be it from me to forbid this; rather I command the contrary—that you not do what God forbids you to do. I am a shepherd constituted by Christ, who is the Lord of the flock. You peoples are the sheep; your kings are the rams. Therefore, while your kings persist in being rams, I allow them to rule and lead you. But if they turn into wolves, will it be fair that I permit the sheep of my Lord to be led by wolves? Therefore with good right I

forbid you to follow them; for the Lord also forbids this, since the sheep are ruled with very great peril when wolves lead them.

Pop. Is this because it is yours to interpret the will of God as contained in divine law and in the Scriptures?

Pont. You have said it.

Pop. But that interpretation is not to be used which utterly evacuates the law and destroys and dissolves the commandment altogether.

Pont. What law of God have either my predecessors or I ever destroyed or dissolved by interpreting it?

Pop. If anything doubtful or obscure is found in divine law, we flee to the See of Peter—that is, to the See which you now hold—to receive the truth of the interpretation. But what is in itself clear and plain needs no light of interpretation.

Pont. What then?

Pop. Since our Lord and Savior commands us to render to Caesar what is Caesar's and to God what is God's, and then through the Apostle to be subject to princes and powers and obedient to their commands, it is yours to declare to us what things are Caesar's—that is, what is owed by us to our king—and what things are God's, that we may render to each his own; and in that distinction we will gladly listen to your voice. But when you say, "Render nothing to Caesar, that is, to your prince," you contradict Christ, and so we do not listen to your voice.

Pont. When the Lord said, "Render to Caesar what is Caesar's," He commanded tribute to be paid to the one who then ruled—who neither compelled the Jews to idolatry nor had yet been deposed by any legitimate power. The same God long before this commanded through the prophet Jeremiah that the same be done toward Nebuchadnezzar king of Babylon, for the same reason. But when, in the time of the Maccabees, King Antiochus turned the people away from the divine faith and religion, God

did not command that they go on treating him as king; rather He inspired Mattathias and his sons—most valiant men—that, assembling an army, they wage war against Antiochus as against an enemy and free the people into liberty. So too you, Christian people, will render due obedience to a legitimate king who does not turn you from God's law and the Catholic religion and who for that reason is loved by me, Christ's Vicar, as a son, in those things which he commands that are not contrary to God's law and the Catholic faith. But a king who, whether by blandishments or otherwise, strives to draw you back from the way that leads to life, and who by my sentence has been expelled from the assembly of the pious and deprived of his kingdom—you will not hold him as king; rather you will render the civil obedience due to a king to another who has legitimately succeeded in his place. Moreover, you will render to God what is God's when with faith, hope, and charity you worship God and do not allow yourself to be separated, by the fear or love of any man, from Him. Thus you will never hear from me, "Render nothing to Caesar or to your prince"; but you will hear this: "Do not be deceived so as to regard him as Caesar or your prince who in truth has ceased to be Caesar and prince."

Pop. We admit and profess, indeed, that there is a place for your holiness's exposition and interpretation in the observance of divine law; but we assert that an interpretation is not to be admitted which makes the natural and divine right a laughingstock and utterly despised. To avoid going astray from the matter at hand: we are commanded to obey princes and powers. Your explanations and restrictions in the observance of this command, provided they do not extinguish the command itself, we as obedient sons gladly embrace—for example, when you say that no obligation arises to obey kings except in those things that pertain to their temporal jurisdiction, and that all

spiritual things are to be reserved to Christ's Vicar and to the Church. Likewise, when you admonish that the king is not to be obeyed in what he commands against divine or natural law or against good morals. But when you simply and absolutely command that we not obey our legitimate prince or his admonitions, commands, and laws in any way, we cannot obey your precept; because this is not to interpret God's commands—which is granted to your holiness—but to abolish and abrogate them altogether, which you can in no way do.

Pont. "In much talk there will not fail to be sin." You seem to have come forth from some school of Barclay's since you multiply so many words without reason. You sin more gravely in presuming to teach your teacher and to give a law to the lawgiver. But you sin most gravely and err when you impose on the Vicar of Christ the claim that he causes natural and divine right to be mocked and that he wishes to abolish and abrogate God's command about obedience due to princes. For neither I nor my predecessors have ever simply and absolutely—as you say—commanded that in no way obedience be rendered to a legitimate prince or to his admonitions, commands, and laws. These are the calumnies and impostures of your doctor Barclay. What we say and teach is this: that no obedience is owed henceforth to a prince who has been excommunicated and deposed by the Church's public authority and who therefore has ceased to be a legitimate prince. This conflicts with no divine precept; for the divine precept does not command that obedience be given to one who has ceased to be a legitimate prince. You should carefully attend and weigh whether you ought to give greater credence to your father—the Vicar of Christ—and to your mother, the Church, or to a single false brother who seduces you and makes you disobey God's command by refusing obedience to father and

mother, all the while you desire to have a zeal for royal obedience without knowledge.

Pop. When Christ handed the keys of the kingdom of heaven to Peter, He did not give him the power of making a sin to be no sin.

Pont. You do not know what you are saying. In a good sense Christ did give Peter the power of making a sin to be no sin and of making what was no sin to be sin. It is a sin to contract marriage within a prohibited degree, not to fast in Lent, to do servile work on a feast day; and yet all these, and very many other things of this sort, cease to be sins when Peter dispenses by the authority of the keys given to him. Conversely Peter can add a new degree of consanguinity or affinity, add a new day of fasting, add a new feast day; and thus there will be sins if anyone contracts marriage within that newly added degree, or if on the added days he does not fast or abstain from servile work—things which would not previously have been sins. So too, it would have been a sin for one to disobey such and such a king; and yet if, by the keys of Peter, that king is declared heretical, excommunicated, and deposed, then it will no longer be a sin to disobey him. It is true, however, that the keys of Peter do not extend so far that the Supreme Pontiff can declare not to be a sin what is a sin, or to be a sin what is not a sin; for that would be to call evil good and good evil—something far removed from, and always alien to, the doctrine of the one who presides over the Church which is the pillar and bulwark of the truth.

Pop. We will therefore follow the common doctrine of the canonists in this matter, who teach that the Pope's command is not to be obeyed if it is unjust, or if many evils or scandal will likely follow from it, or if there will arise a disturbance of the condition of the Church and of the Christian commonwealth; and therefore if the Pope were to command religious something

that is against the substance of their order—that is, that conflicts with the rule they profess, as Felinus interprets (cap. Accepimus, De fide instrumentorum, and cap. Si quando, De rescriptis)—they are not bound to obey him; as the same Innocent teaches in cap. Ne Deus (De iudiciis)—which Martinus Corazinus reports (Tract. de Principibus, q. 498) and which Felinus follows in the said chapters. How much less, then, ought the subjects of kings to listen to the Pope when he tries to draw them away from the obedience owed by divine and natural law to their king and sanctioned by the very strict bond of an oath!

Pont. What is the common opinion not only of canonists but also of theologians and of jurists—and indeed of councils themselves—you can learn from the prolegomena of this book, where by common consent it is affirmed that for just causes the Supreme Pontiff can excommunicate and depose a king and free his subjects from all obedience and the bond of fealty. It is not credible that all the canonists contradict themselves. Therefore, when some canonists say that the Pope is not to be obeyed when his command is unjust or causes scandals and disturbances, first, they do not speak of the Pope teaching the universal Church ex cathedra; next, they do not speak absolutely but conditionally—that is, if it should happen that the Pope should command some particular person to do something against the law of God, then the doctrine of Saint Peter (Acts 5) is well known: "We must obey God rather than men." But when my predecessors, Popes Gregory VII, Innocent IV, and others wished to excommunicate—and even to depose—great princes and to free their subjects from obedience, they did this ex cathedra, in council, with a public ceremony, by the authority of God and of the holy apostles Peter and Paul communicated to them by divine gift. Therefore he who says that the Vicar of Christ is not to be obeyed when he thus commands condemns the whole Church; and such a one ought to

be called not a canonist but a depraver of the canons. Although we do not suppose that any good canonist has fallen into this error, nevertheless, if someone had, a prudent and faithful Christian could safely prefer the makers of the canons to one or another canonist. As to what you say—that obedience is owed by divine and natural law to kings—that is true of legitimate kings who have not yet been deposed by the sentence of the judge; and since we call you away from obedience to the latter, not the former, you either impute to us what is false or you complain of us in vain.

Pop. If you do not command us to cast off our king's yoke for any other reason than that spiritual good is impeded by the obedience rendered to him, we reply that whatever evil there is in this arises from a certain accident—since evil cannot arise from good, nor good from evil, of itself. That accident we lament but we cannot prevent. We discharge the king's due office by God's command; and, according to patient endurance, we seek the glory, honor, and incorruption of good work. If he abuses the obedience due to him and so great a benefit of God, he will feel God above him as a judge and most severe avenger. It is not lawful for us to desert our office and to transgress God's command in order that some good, however great, may result; lest we procure for ourselves the condemnation of which the Apostle warns.

Pont. What the Holy Spirit says through the mouth of King David seems to fit you very well: "He would not understand in order to do well." For that spiritual loss—that is, the peril of the subversion of souls—which is annexed to obedience to a heretical king, especially when that king strives to overthrow the Catholic faith, is a sufficient cause for the Vicar of Christ—who is set over the whole household of Christ—to strike that king with the sentence of excommunication and to deprive him of that

dominion which he had over the faithful. And once a king otherwise legitimate has been deprived of his kingdom, because of spiritual harm, by the sentence of him who rules the universal Church, not only is the people not bound to obey him, but it is bound not to obey him; and thus, when one renders obedience to him who by right has been deposed, he is not the per accidens cause of evil but the per se cause, and he incurs the sin of disobedience, while he ought to avoid the sin of disobedience. Nor does he discharge an office due to the king by God's command, but he discharges an office to a king not due, forbidden by God—since, as has been said, to that king who by right has been deposed obedience is denied. He who refuses obedience to such a king does not do evil that good may come, but does good so that he may avoid very great evil; nor does he incur condemnation for himself, but he is freed from the condemnation which otherwise he would incur. If you do not understand these things, foolish and senseless people, why do you not hear me, your shepherd? Why do you trust your own judgment? Why are you seduced by a stranger? "The sheep follow their own shepherd because they know his voice; a stranger they do not follow, but they flee from him because they do not know the voice of strangers," says Truth in John 10.

Pop. He who commands us to obey kings and to render to Caesar what is Caesar's makes no distinction between good and bad princes; therefore neither must we distinguish.

Pont. I add even with the Apostle Peter that obedience is to be rendered not only to the good and modest but also to the froward (1 Peter 2). Therefore we do not distinguish between good and bad while they are superiors. But our question is whether obedience is to be rendered to a king who has been rejected and deposed by sentence. To this one Christ does not command that obedience be rendered; and Christ's Vicar forbids

it. Therefore he who renders obedience to him does not follow Christ, and he offends Christ's Vicar.

Pop. If, as blessed Augustine teaches, one who has vowed continence to God ought by no means to sin by this sort of compensation—namely, to suppose therefore that he ought to take a wife because he has promised one who desires his marriage that she will become a Christian; and so he would acquire for Christ the soul of a woman lying in the death of unbelief, who is prepared to become a Christian if he marries her—by what plea before God shall we defend ourselves if, in order that some hoped-for good may happen, we violate the religion of the oath and the pledge given to God and to our king? Nothing is more precious than a soul for which the Lord and Savior deigned to die. If, therefore, in order to win it for Christ, it would not be lawful to sin, for what reason shall we sin?

Pont. Evil is not to be done that good may come. This is the Apostolic doctrine—and thus ours. Hence it is not lawful to violate a vow of chastity in order to win souls for Christ; nor is it lawful to do anything against the religion of an oath in order to save the whole world. But it is not for that reason unlawful for me, to whom Christ said in the person of Saint Peter, "Whatever you loose on earth shall be loosed in heaven," to dispense from vows and to release from the bond of an oath. He who, by Apostolic authority, has been released either from a vow or from an oath no longer sins against the vow or the oath if he does things which previously, while bound by the vow or oath, he could not do. Just as among men: one who owes another money sins if he does not repay; but if the creditor releases the debtor from the obligation of repayment, he will not sin even if he never repays. So too, while a vow or an oath is in force and binding, he who does not keep it sins; but if the Vicar of God—having received authority from God and in the name of God—relaxes

the obligation of the vow or oath, then he who does not keep it does not sin. Therefore your question, "For what reason shall we sin?" is foolish, as if a priest needed to learn this from the people.

Pop. As to what you say besides—that you absolve us from the bond of this duty and declare us absolved—this does not remove every scruple from our consciences; rather it makes us waver in mind and doubt more about your power, since we know that the precept whose indulgence you promise us is sanctioned by the law of God and of nature. Your holiness cannot—even from the plenitude of your power—grant indulgence to anyone for a natural and divine law.

Pont. You show yourself altogether untaught since you always return to the same points. I do not grant you indulgence from a natural or divine precept when I absolve you from the bond of obedience. For I do not permit that a subject not obey a king—which would be contrary to divine law—but I make it that the one who was your king is no longer your king. Just as one who grants a slave liberty does not grant that the slave is not bound to obey a master—which would be contrary to divine law—but makes that he have no master to obey; and one who by emancipation removes a son from paternal power does not teach that sons are free not to obey their parents, but makes that he who was a son is no longer considered a son. And one who relaxes a vow or an oath does not give the faculty of violating vows or oaths, but makes that they have no vow or oath.

Pop. We will obey you in spiritual matters and the king in temporal matters. God commands both; we will perform both.

Pont. If, as you said a little earlier, you were doubting and hesitating, how have you now so boldly concluded, constituting yourself judge in a doubtful matter? In Deuteronomy 17 God sends men, in doubtful and obscure matters, to the priest and does not wish each one to be his own judge. And you yourself

said a little earlier that in doubtful matters one should flee to the See of Peter. Why then, in so grave a doubt, did you not flee to the place which the Lord chose—that is, to the See of Peter? And that you may understand that you have achieved nothing by your conclusion, consider first that God indeed commands that you obey the Pontiff in spiritual matters—but He does not command that you obey him only in spiritual matters. Rather He commands that consequently you also obey him in temporal matters; and He commands that you obey the king who legitimately reigns—not the king who, because of heresy or another just cause, has been deprived of his kingdom. For you ought not to obey even the Pontiff in spiritual matters if perchance (which we piously believe cannot happen) he fell into heresy and were declared by the Church to be deprived of the Pontificate. Consider, finally, that the doubt whether the Pope's power extends to temporal matters is not a doubt about a temporal thing but about a spiritual and supernatural one which depends not on the will or judgment of men but on the understanding of the Scriptures and on the interpretation of the divine will. Therefore you ought, in so grave a doubt, to stand not by your own judgment but by that of the Church. The Church, both through her head—the Vicar of Christ—and through councils (that is, her principal members) and through her doctors—the theologians and canonists (that is, through her tongues)—has not obscurely taught that temporal power is subject to spiritual power as the body is to the soul; and therefore that temporal power, even royal power, can be directed, corrected, judged, and changed by spiritual power (which is found most fully in the Pope) when it deviates.

Pop. We wonder indeed at the threats you attach to your command, and in part we fear them; yet we are not so timorous as to fear them more than we ought or to be so frightened by

them that, out of fear of an unjust excommunication, we deny the just and lawfully due obedience to our king. For although it is commonly said that every excommunication is to be feared, one ought to know that an unjust excommunication does not harm him against whom it is hurled, but rather him by whom it is hurled. If you strike us therefore with the sword of anathema because we are unwilling, at your bidding, to transgress God's command and to do evil, the curse will be turned into blessing, so that, although outwardly we may seem bound, inwardly we shall remain loosed and innocent.

Pont. This is precisely what Wisdom says: "The impious man, when he has come into the depths, despises." Pride has cast you headlong into this pit, because you have made yourself a judge of divine and heavenly things; and sunk into the depths of this pit, you despise the judgment not only of the Vicar of Christ but of Christ Himself. For even if you say that you fear the Church's censures, yet when you boldly pronounce that you will not obey them, you exclude not only fear but add manifest contempt. For he who truly fears, at least out of fear, observes the commands. As to your claim that an unjust sentence does not harm him against whom it is issued: this is true when he against whom it is issued endures and observes it humbly, until its injustice—or rather its nullity—be clearly revealed. But when he against whom it is issued contemns it proudly and boldly transgresses the commands, even if an unjust or null excommunication does not harm him, yet his pride and swelling—by which he despises the shepherd's commands—do harm him. Yet these things ought to be said only if the censure and commands of which we are now speaking bore any appearance of injustice or nullity. But when Christ's Vicar, under pain of excommunication, commands peoples not to obey a king who is heretical or otherwise justly excommunicated and deposed, what suspicion of injustice can

arise? For the Pope does not, as you falsely claim, strike you with the sword of anathema because you are unwilling, at his bidding, to transgress God's command and to do evil; rather, because you wish to transgress God's command, the Pope forbidding it, and to do the evil of disobedience. Nowhere has God commanded that a people render obedience to a heretical, excommunicated, and deposed king; rather He has commanded that they avoid heretics, that they do not even say "hail" to them; and that they obey their shepherd and hear his voice.

These are the things which it pleased Barclay to say in the person of the people; to which I have replied not without some vexation, since it grieves me greatly to waste time and effort by repeating the same things so often. And yet, having finally ended this childish apostrophe, Barclay boasts that the whole matter has been concluded by most firm demonstrations and ineluctable arguments.

CHAPTER THIRTY-TWO

CERTAIN FALSE ASSERTIONS OF BARCLAY, UTTERED BY HIM IN A DIGRESSION, ARE REFUTED

In the thirty-first chapter Barclay repeats at length what he had previously said about our forebears, who, although they could easily have overthrown unbelieving princes, nevertheless patiently endured them. He also revisits the disturbances that arose in the Church on the occasion of Gregory VII and Boniface VIII, who either in fact deposed Christian princes or attempted to depose them. He then adds a censure of Clement VII and Paul III in the following words.

"As for these last two pontiffs, I dare affirm (for it is well known to the world) that they were the cause of the destruction of religion in England, because they tried to assume to themselves and to exercise over that kingdom's prince and people so odious and far-reaching a power."

This falsehood and slander are so manifest and notorious that it is astonishing they could proceed from a man who professes to be well versed in history. But hatred of the pontiffs and a lust for slander not only blind the mind but also destroy the memory. For who does not know that Clement VII in every way desired to gratify Henry VIII, king of England, his very close friend, so far as justice and religion allowed? Yet he struck Henry with

anathema; and Clement's sentence against Henry is extant in Nicholas Sander, book 1 of De Schismate Anglicano. This is true —but he was compelled to do so, and the cause of the anathema was so just that not even Barclay could reproach it, however much he might wish to. For Henry, in violation of every law and to the immense scandal of the whole world, while the case was pending before the tribunal of the Supreme Pontiff, and with the Supreme Pontiff himself openly forbidding it and threatening the censures of the Church, dismissed from himself Catherine, his lawful wife, and joined to himself in marriage Anne Boleyn, who was related to him in many ways by affinity. In this way he sundered what God had joined, and joined what God had commanded to be kept sundered. I therefore ask Barclay whether Pope Clement could, consistently with piety, have acted otherwise than he did. Surely no one is permitted to sin for the sake of procuring any good whatsoever. How, then, would the Pontiff not have sinned if he had dissolved the king's marriage with Catherine, which had been contracted according to law, and approved the marriage of the same king with Anne, who by affinity was both as a sister and as a daughter to the king? That the case stands thus, Nicholas Sander shows from the king's own confession (book 1 of De Schismate Anglicano). Therefore the cause of England's perdition was not the Pope's justice but the king's impetuous lust.

Paul III, for his part, pronounced a more severe sentence against Henry, but only when the king had already defected from the Catholic faith, had constituted himself—through a novel and unheard-of heresy—the head of the Church, and had separated his realm from the communion of the mystical body of Christ. Hence Paul, the Pontiff, could not have been the cause of England's ruin, for it had already perished; nor did the Pontiff have any other aim than to find, if in any way he could, the lost

flock and king, to bring the erring back to the way of truth, and to call the one dead in sins back to the life of grace, so that one might say of him: "My son was dead and has come to life; he was lost and has been found." See in Sander at the cited place the defection of the king and kingdom in 1534 and the sentence of Pope Paul III in 1535. As Sander also notes there, the same Pontiff, because some hope of the king's conversion was shown, was unwilling to have that sentence executed.

Afterwards he subjoins another falsehood, not in history but —what is worse—in the faith and in the Catholic religion: "Kings," he says, "are not in the same condition as other men, but stand above all human laws and all positive right, being answerable in administration to God alone; and the more slowly they are called to account, the more severely they are to be punished. Against private persons execution is ready at hand, and they cannot avoid it except by the prince's indulgence. But what execution can be brought against princes, since they are bound by no sanctions of human laws and are summoned to punishment by no laws, protected as they are by the power of empire? For what is expressed in law—'that the prince is loosed from the laws'—they understand of all laws, but especially of penal laws, so that even if the prince offends, he is not to be coerced by them."

This sentiment of Barclay is at the outset self-contradictory. For if kings are loosed from all human laws, then certainly they do not transgress when they do not act according to them. "Where there is no law, neither is there transgression," says the Apostle (Romans 4). How, then, does Barclay say in his final words that princes are not punished even if they transgress? For he admits that they transgress when they do not keep human laws, and yet he affirms that they are not bound by laws. But those who are not bound by laws surely do not transgress if they do not keep them. He will perhaps reply that princes are not

bound by laws as to coercion, but are bound as to direction. Although his words seem to free princes from every obligation of human laws, still, granting the very distinction just now proposed, I ask again whether Barclay wishes princes to be freed from the coercive force of all human laws—both civil and ecclesiastical—or only of civil laws. For if he says they are freed only from the force of civil laws, he thinks one thing and says another. He explicitly declares that princes stand above all human laws and all positive right and are held by no sanctions of human laws. But ecclesiastical laws, established by Supreme Pontiffs or councils of bishops, are human laws and pertain to positive right —of this there can be no doubt. If, however—as his words sound —Barclay wishes princes to be freed from the ecclesiastical laws of the Popes and Councils, then he manifestly errs in the doctrine of the faith and contradicts what he himself has more than once repeated above: that all Christian princes are subject to the spiritual power of the Supreme Pontiff as sheep to the shepherd's staff, and that they can be coerced by ecclesiastical censures and even by excommunication itself; and in chapter 32 he adds that princes can be deprived by the Supreme Pontiff of all the goods of regeneration in Christ and be handed over to Satan until they make legitimate satisfaction for their error and contumacy. And since to be deprived of so many goods and to be delivered to Satan is, by the agreement of all, a very grave punishment, he must concede that execution is prepared even against princes and that they too are called to punishment by laws. These assertions are altogether contrary to what he has written in this place. But let us come to what pertains directly to our purpose.

THIRTY-THREE
THE SECOND PART OF THE FIFTH PRINCIPAL ARGUMENT FOR THE POPE'S POWER IN TEMPORAL MATTERS IS DEFENDED

In chapter 32 Barclay, returning home after a long digression, proposes, discusses, and strives to refute the second part of my principal argument, which was contained in this line of reasoning: A shepherd can separate and shut up furious rams that are destroying the sheepfold. But a prince is a furious ram destroying the sheepfold when he is Catholic in faith yet so wicked that he greatly harms religion and the Church—for example, if he sells bishoprics, plunders churches, and the like. Therefore the shepherd of the Church will be able to shut him up or reduce him to the order of the sheep.

About to attack this argument, Barclay begins with a censure of the vocabulary and says that one ought to have said "exclude," not "reclude," for recludere is "to open." But by recludere I intended not "to exclude" but "to include, to shut in." Shepherds customarily shut up furious rams in some place so that they cannot strike the ewes with their horns or trample them with their feet. "But recludere," he says, "is to open, not to shut." That is indeed true when we say, "to open (recludere) the doors," or "the

house," or "the prison." But when we say "to recludere something within doors," or "to recludere a man in a house or prison," then recludere is taken to mean "to shut" or "to include." In this latter sense I wished to speak: that the ram is shut up by the shepherd in some narrow and fortified place whence he cannot easily escape. And let Barclay not think I am speaking without authority: let him read Hincmar in the Life of St. Remigius, Ivo in Epistle 49, and Aimoin, book 4 of the History, chapter 57. He will find that good authors frequently use recludere to mean "to include," just as religare does not mean "to loose" but "to bind again, or more tightly." And to stop Barclay's mouth entirely, let him hear St. Jerome, a first-class author, speaking thus in the book Against Vigilantius: "You say that the souls of the apostles and martyrs are either in Abraham's bosom or in a place of refreshment or beneath the altar of God and cannot be present at their tombs and wherever they wish: as if they enjoyed senatorial dignity and are not kept among murderers in a most foul prison, but are recluded in a free and honorable custody, in the Fortunate Isles and the Elysian Fields." St. Jerome says this; and Barclay, I think, will not dare to say to him that recludere means "to open," so that one should have said "they are included," not "they are recluded." And to make a return of fraternal correction from the same St. Jerome, let Barclay remember that in chapter 30 he swore "by Hercules," when he says, "I, by Hercules…" Let him hear St. Jerome in the Epistle to Damasus speaking of the prodigal son: "Far be it that from a Christian mouth there should sound, 'by Hercules' and 'by Castor,' and other portents rather than deities." But enough of this. Let us come to serious matters.

Barclay accepts my entire argument and all that is deduced from it by sound consequence. But he denies that anything can be inferred from it other than that the shepherd—that is, the Pope—can exclude the furious ram—that is, the very wicked king—from

the sheepfold by excommunication and deprive him of spiritual benefits, the sacraments, and suffrages; but that he cannot go further to any temporal punishment, above all to the privation of temporal jurisdiction or dominion.

But Barclay does not perceive the force of the argument drawn from the proposed comparison, which he accepted as apt and suitable for explaining and proving this matter. For the shepherd does not only exclude the furious ram from the flock; he also ties him up and recludes—that is, shuts him in—some corner so that he can no longer be the leader of the flock. And in the likeness of this shepherd, the successor of St. Peter and Vicar of Christ binds a Christian prince who is destroying the Church with the chains of excommunication and in a certain way shuts him into a corner, when he does not allow him to rule Christian peoples any longer.

As to Barclay's statement that a prince can indeed be excommunicated but cannot be deprived except of spiritual goods, and therefore cannot be deprived of authority, jurisdiction, or temporal dominion, nor can his subjects be absolved from the fidelity and obedience owed to him—this is a marvel, since the sacred canons, a science in which he professes expertise, include among the effects of excommunication not only the deprivation of sacraments and suffrages but also civil commerce and especially legal commerce, so that an excommunicate cannot sit on the tribunal and judge, nor can subjects appear in judgment before an excommunicate judge. This is the common opinion, based on the chapter Ad probandum (on sentences and res judicata) and on the chapter Decernimus (on the sentence of excommunication) in the Sixth Book. They also include the privation or suspension of jurisdiction and the absolution of subjects from their oath of fidelity. On this matter we read thus near the end of Distinction 15, question 6 in Gratian: "We,

holding the statutes of our holy predecessors, absolve by apostolic authority from their oath those who are bound by fidelity or sacrament to excommunicated persons, and we in every way forbid them to keep fidelity to such until they come to satisfaction." And in the final canon: "Forbid sworn soldiers of Count Hugh to serve him so long as he is excommunicated; and if they should claim the sacraments [as a pretext], let them be warned that they ought to serve God rather than men." Finally, St. Thomas teaches that in the case of heresy one is even deprived of dominion (2–2, q. 12, a. 2): "As soon as anyone is denounced excommunicate for apostasy from the faith, by that very fact his subjects are absolved from his dominion and from the oath of fidelity by which they were bound to him." And although, outside the case of heresy, privation of temporal dominion—whether of particular goods or of kingdoms and principalities—does not follow from the sentence of excommunication as such, nevertheless it has been proved above, by many testimonies and reasons, that for just causes kings and other princes can be deprived of a kingdom or principality by the Supreme Pontiff, nor could Barclay in any way overthrow this with his cavils. "But," he says, "temporal goods, which are held by civil and human power, are received from the hand of the political prince; therefore they cannot be taken away by excommunication, which is the sentence of a spiritual judge."

I reply: Temporal goods, although they are held by human and civil power, are nevertheless subordinated to spiritual goods, and temporal power itself is subject to spiritual power. Therefore it is indeed true that spiritual goods cannot be taken away by the sentence of a temporal judge, nor is spiritual power subject to temporal power; but it is not true that certain temporal things cannot be taken away by excommunication, which is the sentence of a spiritual judge. Nor can this be called into doubt, since it is

sufficiently established that civil commerce and forensic actions are temporal and civil goods, and yet excommunicates are deprived of those temporal goods, especially after public denunciation or declaration.

CHAPTER THIRTY-FOUR
BARCLAY'S ERROR CONCERNING THE EXEMPTION OF CLERICS IS REFUTED

Barclay then turns to the exemption of clerics, taking the occasion from what he had said—that temporal goods cannot be given or taken away except by a temporal prince, and that no one can decline the judgment of the prince in temporal matters. And because someone might object that clerics are exempt from the power of princes and therefore can decline their judgment even in temporal affairs, he replies that clerics are exempt by the privilege of princes, whereas otherwise by common right they would be subject like others. He therefore digresses in this chapter and the next on clerical exemption and says many things that are at variance not only with the truth but also with the common judgment of writers.

First, he says that before clerics were exempted by the favor of princes, they were by common right subject to the judgment of temporal magistrates. He proves this in two ways: first, because clerics are not only clerics but also citizens of the political commonwealth, and he cites my book On the Clergy, chapter 28; second, because formerly under the best and most pious princes the cases of clerics—both civil and criminal, except for ecclesiastical causes—were handled before political and temporal

judges; and he cites chapter fifteen of this book, where he supposes he has demonstrated this.

I reply: Clerics were exempt not only by the privilege of princes but also by the decrees of Supreme Pontiffs—and, what is more, by divine right—and consequently were exempt even before they were exempted by the privilege of princes. That clerics are citizens and a part of the political commonwealth proves that they are bound to observe civil laws by the force of reason, not by the force of the law as such; and to prove this I adduced the very argument which Barclay now misuses to prove that by common right clerics were subject to the civil magistrate —something that does not rightly follow. As to the claim that under pious princes before the time of Justinian the civil and criminal cases of clerics were sometimes handled before political magistrates: I say that indeed one finds in the Code, under the title On Bishops and Clerics, laws of princes that provide for clerical cases to be terminated before secular judges; but one also finds canons of councils of the same age—such as Carthage III, canon 9; Milevis, canon 19; Chalcedon, canon 9; and others—that forbid clerics access to secular courts. Therefore, under pious princes the exemption which clerics had by divine right was not yet sufficiently known and explained, and the holy Fathers strove gradually to explain and introduce it.

Second, Barclay says he marvels that Bellarmine asserts that the Pope could by his own authority, by a canon law, simply exempt clerics from subjection to temporal princes. "This," he says—with respect to so great a man I will say it—"is false, nay most false: because the law of Christ deprives no one of his right and dominion; but it would deprive them if by it the temporal right and dominion which princes had over clerics before they became Christians were taken away from them against their will." Such are his words.

But that Barclay may marvel the more, it is not Bellarmine alone, nor only those who among theologians and jurists seem most to favor the exemption of clerics; rather, even those who are thought to favor it less say precisely the same. These are the words of Domingo de Soto (In IV Sententiarum, dist. 25, q. 2, a. 2, concl. 6): "The Pope could—even without consulting princes—and ought to exempt clerics from their exactions and court; and against this exemption princes cannot prevail." Diego de Covarrubias, a distinguished jurist following Soto, teaches the same (Prácticas quaestiones, q. 31, concl. 3): "The Supreme Pontiff could exempt clerics and their goods from secular jurisdiction; and this was and is fitting for the Christian commonwealth not only in spirituals—which by divine law were already established—but also in temporals." And in conclusion 4: "Although the exemption of clerics from the jurisdiction of seculars was introduced only by human law, nevertheless a secular prince, however supreme, cannot derogate from this immunity or exemption by his own laws or authority." Let Barclay therefore cease to marvel if Bellarmine says what almost all say, and let him not, as if he alone were wise, deny what hardly anyone denies.

"But," he says, "the law of Christ deprives no one of his right and dominion." This is true in itself and properly speaking—inasmuch as the law itself intends no such thing—unless someone by his own fault merits to be deprived. Yet when it raises laymen to a higher rank, that is, to the clerical state, it is not surprising if, in consequence, it deprives princes of a right which they had over them while they were in the lower rank. Nor are examples lacking in other matters, both profane and sacred. A king raises a private man who was subject to a count to a principality; in consequence the count is deprived of the right he had over him—and perhaps the same count is then subjected to

that very man now made prince, over whom he had previously presided. The Pope raises a simple presbyter, otherwise subject to a bishop, to be a metropolitan; thus, without injury to anyone, he makes the one who was previously subject to the bishop begin, as metropolitan, to preside over that bishop to whom he had just been subject. An unbelieving husband had a right over his unbelieving wife; the woman is converted to the faith and consequently is freed from subjection to the unbelieving man, and without any injury the law of Christ deprives the unbelieving husband of a right he had over his wife. By a like reasoning, when a marriage is contracted by words of the present, the Christian husband acquires a right over his Christian wife; and yet if within the time prescribed by law she wishes to ascend to the profession of a higher life and become a nun, the law of Christ deprives the man of the right he had acquired—not in itself, but in consequence. For the law of Christ does not intend to deprive that man of his right, but to honor the woman who has been raised to a higher state; the deprivation of the husband's right follows as an unintended consequence. Finally, a son under paternal power is raised to be a bishop; his father is deprived of his paternal power—not that he suffer an injury, but because it is not fitting that a spiritual father be subject to the power of his carnal parent.

Barclay objects again: "Moreover, since the Pope himself obtained his own exemption by no other right than the largess and favor of princes (for, as his adversaries admit, he was by right and in fact subject to pagan princes, like other citizens), it is absurd to say that he could free others from that subjection; otherwise this would fit him: 'He saved others; himself he could not save.'"

I reply: Barclay's argument suffers from a double fault: the antecedent is false, and the inference is invalid. It is false, first,

that the Pontiff obtained his own exemption by no other right than the largess and favor of princes. He who constituted him his Vicar on earth by that very fact exempted him from all power of earthly princes. But even if by right he had been subject to kings or emperors who were pagans, it would not follow that he must also be subject to Christian kings or emperors unless he were exempted by their largess and favor. For since he is set over the whole household, and kings and emperors are joined by him to that same household so that they may be governed and directed by him, surely reason does not permit that he be subject to those over whom by divine right he presides. But it suits Barclay's purpose to mock the Vicar of Christ in the same way that the perfidious Jews mocked Christ; and yet even they, against their will, confessed that many had been saved by Christ from death itself, while they blasphemously lied in saying that he could not save himself from destruction.

Third, Barclay says it is not true that clerics were exempted by the ancient councils from the power and jurisdiction of civil magistrates; and he adds that the Fathers who took part in the councils indeed forbade clerics to bring cases to secular courts, but they did not forbid them to respond when summoned; nor did they at all forbid temporal judges to hear clerical cases; nor, indeed, could they have forbidden it in any way. He first tries to show this from the Third Council of Carthage, canon 9, where we read: "It has also been decreed that any bishop, presbyter, deacon, or cleric, when a charge has been brought against him in the Church, or when a civil case has been raised, if, abandoning ecclesiastical judgment, he should wish to be cleared in public courts, even if a sentence has been pronounced in his favor, let him lose his place—and this in criminal judgment; in a civil case, let him lose what he has won, if he wishes to keep his place. For he judges himself unworthy of the fellowship of his brethren who,

thinking ill of the whole Church, seeks the help of secular judgment, although the Apostle commands that the causes of private Christians be brought to the Church and determined there." Thus far the council's words, in which Barclay says he can see nothing for clerical exemption; rather, he says the Fathers aimed only to restrain the rashness and petulance of those clerics who, after a case had begun to be handled in the Church, despise and abandon ecclesiastical judges and commit themselves to a layman's arbitration and judgment.

But we see much in the words of this council on behalf of clerical exemption. First, the Fathers plainly condemn recourse to the courts of secular magistrates; and they certainly would not do so if secular magistrates were in every respect lawful judges of ecclesiastics. What fault would there be in appealing from a bishop's judgment to the judgment of the provincial governor or of the prince himself—whether the appellant be a cleric or even a bishop—if the governor or the prince were a lawful judge? Next, the council rescinds a sentence of a secular judge pronounced in favor of a cleric when it decrees that, in a criminal case, a cleric acquitted by a secular judge is to lose his place, and in a civil case is to lose what he has gained—that is, that a sentence in his favor pronounced by a secular judge is to profit him nothing. Although these things are ordained by way of punishment, still the punishment would be unjust if it were not a crime for a cleric to acknowledge a secular court. Finally, because Barclay says that the council rebukes only those clerics who, after a case has begun in ecclesiastical court, transfer it to the court of secular powers—something that might seem injurious to ecclesiastical judges—let him hear the Milevitan Council of the same age, held in the same Africa. It says thus in canon 19: "It has pleased us that whoever seeks from the emperor the hearing of public suits is to be deprived of his proper rank; but if he should petition from the

emperor an episcopal hearing, let it not harm him." Here we see that the matter is not about a case already begun, but absolutely and under a very grave penalty clerics are forbidden to flee to the emperor to obtain a secular court; yet the granting of an episcopal hearing by the emperor is allowed, precisely to avoid the secular court.

Barclay then goes on to the Council of Chalcedon, where it is established in canon 9: "If any cleric has a case against a cleric, let him not abandon his own bishop and run to secular courts; but first let the case be ventilated before his own bishop, or at any rate, with that bishop's advice, let them obtain judgment before those to whom both parties shall wish to appeal. If anyone shall do otherwise, let him be subject to canonical correction." From this canon Barclay says nothing can be gathered except that in the first instance the case is to be ventilated before the bishop; thereafter, if necessary, it may be brought before a secular judge. But that gloss destroys the text; nowhere in the canon—either expressly or implicitly—is there mention of a secular judgment; and expressly the canon says that clerics are not to run to secular courts. Moreover, in the same place the council adds: "If a cleric has a case against his own bishop or against another, let it be judged before the provincial synod. But if a bishop or cleric has a complaint against the metropolitan of the same province, let him appeal either to the primate of the diocese or to the see of the royal city of Constantinople, and let it be judged there." When there was the best opportunity to name the provincial governor or the emperor himself, there is no mention of either. "What then," asks Barclay, "does that 'but first let the case be ventilated before the bishop' mean? 'First' relates to what is subsequent; and since the council did not explain what is to be done next, reason requires that we understand that afterwards recourse is to be had to secular judgment," as Justinian later established in Novel 83.

I reply: First the cleric's case is to be ventilated before his own bishop; if it is not terminated there, recourse is to be had to higher ecclesiastical authorities: namely, the metropolitan, the patriarch, and the Pope. The council did not express this because it was known—both from the practice of other tribunals, where appeal is always made from a lesser judge to a greater, and from the general Council of Sardica, canons 4 and 7—where it is declared that the last appeal of ecclesiastical persons is to the Roman Bishop. Looking to these canons, Pope Gelasius I writes in his Epistle to Faustus: "These are the canons which wished the appeals of the whole Church to be carried to the judgment of this See and established that from it there is absolutely no appeal." And in the Epistle to the Bishops of Dardania he says: "They wished that there be appeal to that See from every part of the world; but from it no one is permitted to appeal." We ought not to expound the canons of the Church by Justinian's Novels when we can explain them by other canons or by the Church's usage.

Barclay then adduces against himself the Council of Agde, where in canon 3 it is decreed: "Let no cleric presume to summon anyone before a secular judge without the bishop's permission." He complains that Gratian corrupted this canon in his collection (11, q. 1, Clericum), where he has: "Let no one presume to summon a cleric before a secular judge without the bishop's permission," and he marvels that Bellarmine preferred to follow Gratian's corruption in citing this canon rather than the council's true wording.

I reply: It is in no way credible that Gratian—a good man and striving after Christian perfection—wished to corrupt the council's text; it is more credible that Gratian had another reading of that canon than the one we possess. But, however the matter stands, each reading sufficiently demonstrates clerical exemption. For in that very council—even if the first phrase, "Let no cleric

presume to summon anyone before a secular judge," does not seem to make much for exemption—the words that follow, "But if he is summoned, let him not answer," make a great deal for exemption. For a cleric is commanded, when called to trial before a secular judge, not to appear; nothing could be said more plainly. And in the same sense falls Gratian's reading: "Let no one presume to summon a cleric before a secular judge without the bishop's permission." For if a cleric is not permitted to answer in a secular court, neither will it be permitted for a cleric or a layman to call a cleric to a secular court.

As to Barclay's note on the second part of the canon—that a layman who attempts out of calumny to harass a cleric or the Church is punished with a very grave penalty—this does not mean that it was lawful for laymen to drag a cleric or a cause of the Church to a secular court, provided it was done without calumny; it means that the crime is far graver and to be punished with a most serious penalty if calumny is added than if it is done without calumny. Nor is it certain that the council is speaking of the secular forum; it can be that a layman accuses a cleric indeed before his proper forum—that is, the ecclesiastical one—and yet unjustly harasses him through calumny.

He then adds the eighth canon of the First Council of Mâcon, where it reads: "Let no cleric presume to accuse any other brother among the clerics before a secular judge or to drag him anywhere to render a plea; but let every business of clerics be settled in the presence of their bishop, or presbyter, or archdeacon." He finally adds the thirteenth canon of the Third Council of Toledo in these words: "Longstanding indiscipline and the presumption of ingrained license have opened the way to unlawful ventures to such an extent that clerics, abandoning their own bishop, drag their fellow clerics to public courts. We therefore decree that henceforth this not be presumed; and if anyone should presume

to do this, let him both lose his case and be cast out from communion."

Having assembled these testimonies of councils, Barclay subjoins: "These are the solemn—and almost the only—decrees of the sacred canons on which those found their error who falsely think that councils were able to exempt and have in fact exempted clerics from the power of laymen; but the canons themselves refute that opinion so clearly that there is no need to bring anything else to overthrow it."

I reply: First, these are not the only councils that declare the exemption of clerics; there are many others, of which I have judged it enough to mention a few briefly. In the Lateran Council under Innocent III, chapter 43: "Some laymen strive to usurp too much contrary to divine right, when they compel ecclesiastical men, who hold nothing temporal from them, to swear oaths of fealty." In the Council of Constance, session 31: "Laymen have no jurisdiction or power over clerics." In the Lateran Council under Leo X, session 9: "Since no power over ecclesiastical persons is attributed to laymen either by divine or by human right, we renew all and each of the constitutions…" In the Council of Trent, session 25, chapter 20 on reform: "The immunity of the Church and of ecclesiastical persons was established by God's ordinance and canonical sanctions." To these and similar testimonies—which speak far too plainly—Barclay makes no reply, but passes them over as if he had never read them.

Next, we do not say that clerics were exempted by councils properly speaking, but that their exemption was declared and confirmed with attached penalties.

Finally, it is a wonder that Barclay dares to say that from the canons alleged the opinion of exemption is refuted and overthrown, when in fact it is confirmed and strengthened in many ways. For if lay magistrates were lawful judges of clerics, by

what right would the Council of Mâcon decree that all business of clerics be settled in the presence of the bishop, presbyter, or archdeacon? And why would the aforesaid Council of Toledo call recourse to secular court "presumption" and "unlawful ventures" with such asperity of language? And how, finally, would that council dare to render the sentence of a secular judge null and to excommunicate the cleric who runs to the secular forum? For this is the meaning of those words: "Let him lose his case and be made a stranger to communion."

CHAPTER THIRTY-FIVE
BARCLAY'S GRAND PRONOUNCEMENT, BY WHICH HE ATTEMPTS TO ABOLISH CLERICAL EXEMPTION FROM THE ROOT, IS REFUTED

In chapter 33 Barclay, having laid aside all fear and shame, pronounces as follows: "I will say more, and I will speak the truth —even if perhaps it will procure for me the hatred of those for whom everything that opposes in the least their zeal and desire is odious. I will, then, speak—and utter a grand word—which perhaps no one has yet remembered, or if he has, he has not, as he should, reminded those whom it concerned to know it: namely, that clerics throughout the whole world, of whatever order or grade they may be, are in no way yet exempt and freed from the temporal power of secular princes in whose kingdoms and regions they live; rather, like other citizens, they are subject to them in all things that pertain to political and temporal administration and jurisdiction; and over them, as over other subjects, the right of life and death belongs to such princes."

This "grand word" of Barclay is nothing other than great rashness and an intolerable error of one man who, in order to flatter kings, does not fear to set himself against the truth and against all writers—both theologians and canonists—two of

whom we cited a little above, namely Soto and Covarrubias. To these we could have added countless other authors, and, what is more, the four general councils cited a little earlier—the two Lateran Councils, the Council of Constance, and the Council of Trent—in which it is affirmed in general terms that laymen have no power over clerics; nor are emperors or kings excepted. Nor need we labor to demonstrate the novelty of this doctrine, for Barclay himself admits that he is about to utter a "grand word" which perhaps no one has yet remembered.

But let us see by what arguments Barclay strives to persuade the world of so grand and hitherto unheard-of a word. I will draw his whole reasoning into a brief compass so its force can be more easily perceived. Thus he argues: "Christians—both clerics and laity—were subject to unbelieving princes and can be judged by them, because the law of Christ deprives no one of his right and dominion. Again: faithful princes did indeed by their privileges exempt clerics from the power of lower magistrates, but they did not exempt them from their own power; for nowhere is it recorded by any author that the princes who granted those privileges to clerics thereby set them free from themselves so that they were no longer subject to them. Indeed, neither could princes, nor can they now, grant to clerics living in their kingdoms such a liberty as not to be subject to them in temporal power and not to be judged and punished by them when they offend, unless at the same time they abdicate their principate. For it is proper to a prince to be able to take cognizance of his citizens and members of his commonwealth; but clerics, as far as temporals are concerned, are citizens and members of the political commonwealth, whose head and ruler is the prince. For this reason the emperor Charles V ordered Hermann, archbishop of Cologne, to be summoned before him that he might clear himself of the crimes alleged by the clergy and the university, as

Surius relates in his Commentaries under the year 1545. And many princes have specially reserved to themselves certain crimes of clerics to be punished, and have committed them to their magistrates for judgment: such are the crimes that in France are called 'privileged,' such as treason, the bearing of arms, counterfeiting of money, and the like." From all of this, he concludes, it follows that clerics are not exempt from the power and jurisdiction of temporal princes.

I will respond in order to each proposition. As to the first, about the subjection of clerics to unbelieving princes, there are—as we said above—two opinions; and neither favors Barclay. The true opinion is that clerics were by right exempt even from the power of unbelieving princes, although in fact they were subject to them; and he who is truly called in the Apocalypse the "Prince of the kings of the earth" exempted them as his own ministers. According to this view Barclay's first proposition must be denied; he has nowhere proved it and does not prove it here, but assumes it as granted—though graver writers do not grant it, namely all those who teach that this exemption is of divine right. But even if it were granted, Barclay would draw nothing from it, since the following consequence is denied: "Therefore clerics are subject to the judgment and power of faithful princes." This proposition—Barclay's second—is denied by all Catholic writers, theologians and canonists alike. And the consequence is denied because the Supreme Pontiff absolutely exempts clerics from the power of faithful princes who acknowledge his authority; but from the power of unbelieving princes who do not acknowledge his authority he does not exempt them absolutely, since he cannot coerce them by ecclesiastical censures. Christian princes also exempted clerics, understanding how great is the dignity of clerics—something not understood by unbelieving princes, to whom that spiritual dignity was unknown.

To his third proposition—"the law of Christ deprives no one of his right and dominion"—I have already replied in the preceding chapter, where I showed that by the exemption of clerics princes are not deprived directly and properly of the right they had over them before they became clerics, but indirectly and as a consequence: just as, when a son is raised to the episcopal dignity, he is exempted from paternal power; yet the father suffers no injury, for he is not deprived of his right directly but consequentially. The Church does not intend to deprive the father of the right of paternal power, but to raise that person to the rank for which he is worthy, though from this there follows the privation of the father's power. See many other examples in the preceding chapter.

To the fourth proposition—that it is nowhere recorded that princes exempted clerics from their own power but only from the power of inferior magistrates—I reply: Whoever says this seems either to have read nothing or to wish to deceive his readers. Rufinus writes (Ecclesiastical History, book 10, chapter 2) that the emperor Constantine expressly declared that it was not lawful for him to judge priests, but that he himself was rather to be judged by them. Here he made it clear enough that priests were exempt not only from the power of inferior judges but also from the power of the supreme prince himself. A law of the same Constantine, the seventh under the title On Bishops and Clerics in the Theodosian Code, agrees with this: "Let readers of the divine scriptures and subdeacons and the other clerics who have been summoned to the curias through the injury of the heretics be released; and henceforth, as in the East, let them not be summoned to the curias, but possess fullest immunity." Since he absolutely forbids clerics to be summoned to the curias and wishes them to enjoy fullest immunity without any exception, it is manifest that he wills that they not be summoned even to the

prince's own court; for the immunity would not be "fullest" if they were subject to the prince's power. Similar is the law of Theodosius and Valentinian (Theod. Code, last law under the title On Bishops and Clerics): "We reserve to episcopal hearing the clerics whom an impious usurper had indiscriminately ordered to be brought before secular judges; for it is not right that the ministers of the divine gift be subjected to the judgment of temporal powers." Since nothing is excepted in this law, all is included—unless perhaps the prince's power is not to be called temporal. Justinian himself, in Novel 83—often cited by our adversaries as if clerics there are not seen to be exempt from the secular forum in criminal matters—has these words: "First let him be deprived by the God-beloved bishop of his sacerdotal dignity, and thus be made subject to the hand of the laws." Here we see that, while they remain clerics, they are not under the power of the laws, but only after they have been deprived of clerical honor by the bishops. Therefore, as long as they are clerics, they are exempt not only from the power of inferior judges but also from the very laws of princes so far as coercion is concerned. This is what the Council of Constance, session 31, declared: "Laymen have no jurisdiction or power over clerics." And certainly under the name "laymen" it includes even supreme princes, since they too are laymen. Finally—to omit many other things—emperor Frederick II in his first Constitution speaks generally: "We likewise decree that no one presume to drag an ecclesiastical person, in a criminal inquiry or civil case, to a secular court, contrary to imperial constitutions and canonical sanctions." By "secular court" are understood not only the courts of inferior judges but also those of supreme judges, since all alike are secular. And this is in fact observed wherever reverence for the sacred canons prevails.

To the fifth proposition—that supreme princes could not exempt clerics from their royal power—I respond that this is manifestly false. Even though a supreme prince cannot exempt all who live in his kingdom from all his power unless he abdicate his principate, he can nevertheless exempt some portion of his people from some part of his power, or even from all of it, and still truly be called and be a prince. It is proper to the supreme prince to exact tribute from the people subject to him, as the Apostle teaches in Romans 13: "For this cause you also pay tribute; for they are the ministers of God, attending upon this very thing." Yet the king can make whomever he wishes in his kingdom free from tributes. In 1 Kings 17 it is said: "The man who strikes down the Philistine, the king will enrich with great riches and will make his father's house free from tribute in Israel." Likewise, if a great king were to make one city in the midst of his kingdom either free or an absolute gift to someone, he would not therefore cease to be called the king of his whole kingdom—especially if he protect and defend that city and the citizens of that city freely keep the laws of the kingdom. Thus kings could exempt clerics living in their kingdom from their royal power, and yet be called and be kings not only of laymen but also of clerics—who freely keep his political laws, bring before his tribunal the cases they have with laymen when they are plaintiffs, and acquiesce in his judgment and sentence in such cases. And because the king labors and keeps watch for the defense not only of laymen but also of clerics, therefore not only laymen but also clerics show him the honor due to kings, according to the precept of the apostle Peter: "Fear God; honor the king" (1 Peter 2). Finally, they pray to God for the king, as the Apostle admonishes (1 Timothy 2): "I urge that supplications, prayers, intercessions, and thanksgivings be made for all men, for kings and for all who are in high station"—and not only do they offer prayers generally

for kings, but also specifically "for our king N." or "for our emperor N."

"But," says Barclay, "all the members ought to be subject to the head, and all citizens to the ruler of the city, so that the head and ruler can take cognizance of all the members and citizens; but clerics are members of the political body and citizens of the earthly city with respect to temporalities."

I reply: In a natural body it is necessary that all members be subject to the head, because in such a body there is no place for exemption. But in a political body, in which exemption has a place, it is not necessary that all members—that is, all citizens—be strictly subject to the power of the head—that is, the ruler; and therefore it is not necessary that princes be able to take cognizance of all citizens, just as it is not necessary that all citizens pay tributes or that all help the temporal commonwealth with arms.

"But the commonwealth will be disturbed," he says, "if clerics transgress the laws of princes with impunity." I reply: They will not do so with impunity, for they will be coerced by their own bishop or by the Supreme Pontiff. "But Charles V called Hermann, archbishop of Cologne, to his tribunal." True; but he summoned him as a prince of the empire. Pope Paul III summoned the same man to his tribunal as an archbishop—as Surius attests in the same place—who later writes that in 1547, by order of the Supreme Pontiff and of the emperor, Hermann was removed from office. The sentence of deposition was indeed pronounced by the Pontiff. How diligent Charles V was in observing ecclesiastical immunity can be understood from this: in the year of salvation 1520, a heinous conspiracy having been discovered against Charles, in which certain ecclesiastics were involved, Charles punished the lay conspirators, but remitted the ecclesiastical offenders to their ecclesiastical superiors to be

punished by them, as Molinaeus testifies (book 4, chapter 21 of De Hispania primogenia).

Barclay adds that there are certain grave crimes which in France are called "privileged" and are reserved to the supreme princes. But this argument can be turned back upon its author. For they are not called "privileged" because the prince reserved them to himself when he granted to clerics the privilege of exemption, as Barclay supposes. They are called "privileged" because by the privilege of the Apostolic See it was granted to the kings of the Franks to take cognizance of those crimes—something which Clarus explains (q. 36, final paragraph, "Further I ask," and in the Clementine Ut clericorum, De officio judicis ordinarii, limit 13).

To Barclay's final conclusion—that the exemption of clerics from the power of princes is null—I reply that this conclusion is wrongly drawn from what has been said. First, because it has been demonstrated that supreme princes could and wished to exempt clerics from their power; and second, because even if they had not wished or been able to do so, the Supreme Pontiff could and wished to exempt them or to declare them exempt by divine right; nor can even supreme princes impede this exemption. This is the common opinion of theologians and canonists; hitherto only heretics have resisted it. Indeed, Barclay himself does not doubt that those who hold the exemption to be of divine right think this, as Navarro expressly teaches (cap. Novit, De iudiciis, nota 6, no. 30). And that the same is also admitted and taught by those who think the exemption is not of divine right is clear from Francisco de Vitoria (Relectio de potestate Ecclesiae, q. 6, prop. 5), from Domingo de Soto (IV, dist. 25, q. 2, a. 2), from Martín Ledesma (In quartum, part 2, q. 20, a. 4), from Domingo Bañez (2–2, q. 67, a. 1), and from Diego de Covarrubias (Prácticas quaestiones, cap. 31, concl. 3 and 4), whose words—as also Soto's

—I cited in the preceding chapter. Hence the question which Barclay leaves unresolved at the end of the chapter—whether a prince may revoke the privilege of clerical exemption—is settled. The authors cited answer that it is in no way lawful.

CHAPTER THIRTY-SIX
THE SECOND AND THIRD PARTS OF THE FIFTH PRINCIPAL ARGUMENT FOR THE SUPREME PONTIFF'S POWER IN TEMPORAL MATTERS ARE DEFENDED

In chapter 34 Barclay, after a long digression concerning the exemption of clerics, returns to attack the second part of my principal argument, which he had set out at the beginning of chapter 32. My argument was this: It is the shepherd's office to separate and shut up furious rams that are destroying the sheepfold. But a prince is a furious ram destroying the sheepfold when he is Catholic in faith yet so wicked that he greatly harms the Church and religion—for example, if he sells bishoprics or plunders churches, and so on. Therefore the shepherd of the Church will be able to shut him up and reduce him to order.

To this argument Barclay replied in that chapter 32 that the whole argument could be conceded, since nothing else results from it except that a wicked prince harmful to the Church can be separated from the fellowship of the flock by the sentence of excommunication. We, however, refuted that reply in chapter 33, to which I refer the reader. Now, therefore, in chapter 34 Barclay adds the following.

"I now return," he says, "to the argument that was proposed at the beginning of chapter 32, and I answer that it in no way pertains to any temporal goods whatsoever, much less to the deprivation of a kingdom. For it is certain—nay, most certain—that excommunication, by which alone perverse Christians are separated and excluded from the fellowship of the faithful and the communion of the Church, does not take away anyone's patrimony or temporal goods." Thus he speaks. After spending many words on explaining this matter, he concludes that if the Pope cannot by excommunication take away patrimonies from private persons, much less can he by the same censure deprive kings and princes of their empires and kingdoms. "Does it stand to reason," he asks, "that by God's law more power is granted him over princes than over private persons? Or must princes live in a harsher and worse condition than private persons, so that what the Church cannot do to a private person it can do to a prince?"

I reply: When I said that a furious ram can be separated and shut up by the shepherd, I did not understand by "separation and shutting up" excommunication alone, but excommunication and deposition. For just as a shepherd does not only separate a ram from the flock, but also shuts him up—as it were, in a pen—so that he can no longer lead the flock, so the Supreme Pontiff separates the king who is destroying the Church not only by excommunication from the communion of the faithful, but also deposes him and reduces him to order, so that he no longer rules the peoples. Therefore that very long disputation, by which Barclay proves that by excommunication men are not deprived of their own patrimony, is superfluous, and Barclay has not grasped the force of our argument; just as he also interpreted the word recludere as excludere, when it ought to have been explained as includere, as we showed in chapter 33. I add that there is a great difference between private wealth and public jurisdiction, as also

between substance or riches and power or authority. A man can be very poor in private goods and yet possess public and very ample jurisdiction; and conversely he can be very rich in gold and silver, fields and vineyards and herds, and have no political power over other men. From this difference it follows that, although excommunication does not deprive one of his own patrimony and goods and riches, it does deprive him of the right and power of human commerce, of elections, contracts, and the like, and at the same time it impedes public forensic jurisdiction. For it is not permitted to excommunicates to exercise forensic judgments, to hear causes, to pronounce sentence, or to punish the innocent—as we proved above from the chapter Ad probandum on sentences and res judicata.

Although by excommunication alone—except in the case of heresy and apostasy—the loss of a kingdom or empire does not follow, nevertheless the Supreme Pontiff, who by excommunicating can suspend jurisdiction, as we have said, can also by deposing deprive one entirely of royal jurisdiction and power. As we showed in the prolegomena, this is the common opinion of the Doctors and of the Church herself. Nor does it follow from this that the Pontiff has more power over princes than over private persons; for private persons cannot be deposed from a kingdom because they do not possess a kingdom—not because they are less subject to the power of the supreme shepherd. Yet they too can be deprived of what they do possess: which happens when they are punished with a pecuniary fine, or exile, or prison, or another corporal penalty. It is false, therefore, what Barclay too often repeats, that corporal punishment lies only within the power of the political magistrate—the contrary is shown by practice, especially in the tribunal of the Holy Office.

Barclay then adds another reason, which he sets out in syllogistic form: "The Supreme Pontiff does not now have greater

dominion over temporal princes than he had before he became a temporal prince himself.
But before he became a temporal prince, he had in no way any temporal dominion over them.
Therefore he does not now have any such dominion over them either."

And since the major premise seems manifest, he proves the minor thus: "No inferior and subject has dominion over his superior and lord such that he can judge him in that very matter in which he is subject to him.
But the Pope, before he became a temporal prince, was, as regards temporals, inferior and subject to kings and emperors.
Therefore he does not have temporal dominion over them such that he can judge them in temporal matters."

I reply: The minor of the first syllogism is false; therefore the conclusion is also false. For the Supreme Pontiff did not acquire the right which he has in temporal matters over Christian kings and princes from the temporal principate which he now possesses, but he received it from Christ when he received from him the apostolic and supreme power over the whole Church, so as to be his universal Vicar—the head, ruler, shepherd, and prince of all the faithful. Although, as has often been said, that power is in itself spiritual, it nevertheless extends to temporal matters in the way that the human spirit—though truly and properly spirit, not body or bodily—rules the members of the body over which it presides and chastises and punishes them as it judges conducive to salvation. Wherefore the proof of the minor in the second syllogism has no force, for the minor itself is false; and thus the entire syllogism's conclusion is false. It is false that the Supreme Pontiff was ever by right subject to kings and emperors; nor has Barclay proved what he assumes as proved.

"But," he says, "the adversaries say that the exemption of ecclesiastical persons was introduced by human law."

I reply: Bellarmine, whom he cites in the margin, does not say "by human law alone," but "by human and divine law." Moreover, those very authors who say that the exemption of clerics is by human law add that, as regards persons, it is highly conformable to natural and divine law—as is evident from Domingo de Soto (IV, dist. 25, q. 2, concl. 5). Further, the same authors who deny that the exemption of clerics is of divine right expressly affirm that the Supreme Pontiff could and ought to exempt clerics even without consulting temporal princes, and that temporal princes cannot set up the contrary by their laws—as we have noted above from Vitoria, Soto, Ledesma, Bañez, and Covarrubias. Therefore it is false what Barclay repeats here with so many empty words: that exemption was granted to clerics by the privilege and favor of princes alone.

Barclay then proceeds to the third part of the fifth principal argument for the power of the Supreme Pontiff in temporal matters; I omit what he repeats from chapter 15, since it has already been refuted there. He speaks thus: "There remains Bellarmine's supreme argument, in refuting which there is no need of much labor. The third argument is this: The shepherd can and ought to feed all the sheep as is fitting for them; therefore the Pontiff can command Christians and compel them to do those things to which each one, according to his state, is bound—that is, to compel individuals to serve God in that way in which according to their state they ought. But kings are bound to serve God by defending the Church and by punishing heretics and schismatics. Therefore he can and ought to command kings to do this and, if they do not, to compel them by excommunication and other suitable means."

To this argument Barclay replies that, if the matter concerns spiritual nourishment and spiritual penalties, the whole argument can be conceded. For the Supreme Pontiff is bound to feed all Christians with spiritual nourishment; for to feed them with bodily food—even if his resources are very ample—would in no way suffice. Likewise, he is bound to compel all to their duty by spiritual penalties, of which the gravest is excommunication; but he cannot go further. To prove this he alleges John Driedo in book 11 On Christian Liberty, chapter 4.

But this answer of Barclay has been refuted in many places above, and now it can be refuted from Driedo himself, whom he cites. Barclay writes that Driedo allows no other penalty of papal judgment and correction against delinquent emperors except excommunication alone. But John Driedo stands opposed to Barclay and confutes him in these words (book 1 On Christian Liberty, chapter 14): "This, however, is not to be passed over in silence: that the Pope, from the fullness of his power over all Christian princes, can deprive kings and princes of their kingdoms and empires on account of the crime of heresy and in temporal matters altogether release the Christian people from their obedience and subjection to them." Thus Driedo—whom Barclay cited as a patron of his opinion—most clearly rebukes Barclay's falsehood and imposture. Therefore, what we have said, and what all Catholics teach—that the supreme shepherd of Christians can compel all to perform their duty in God's service—is not to be understood of compulsion by excommunication alone, but also by depriving them of kingdoms and principalities if the same shepherd judges this expedient for the flock's salvation.

CHAPTER THIRTY-SEVEN
THE FIRST EXAMPLE ADDUCED FOR THE POWER OF THE SUPREME PONTIFF IN TEMPORAL MATTERS IS DEFENDED

In chapters 35 and 36 Barclay recounts and refutes certain arguments of Nicholas Sander. I consider that whole disputation should be omitted here, since I did not undertake the burden of proving that all the arguments proposed by Catholic writers are unanswerable demonstrations. I know that sometimes matters merely probable are mixed in with arguments of greater solidity which, although they do not have in themselves and alone the force to persuade, nevertheless, when added to stronger arguments, contribute not a little to confirming the point at issue. Therefore I have taken upon myself to defend Sander's conclusion —which is common among all Catholic writers—against Barclay, about whom Scripture says of Ishmael that "his hand is against all." At the same time I have judged that I ought to reply to the points Barclay has raised specifically against my own writings. Accordingly, in chapter 38 he recounts my first argument taken from an example and figure of the Old Testament. The sum of the argument is this. King Uzziah, in 2 Chronicles 26, when he usurped the office of the priests and did not acquiesce when

repulsed by the priests, was immediately struck by God with leprosy; and by the judgment of the priests he was separated from the assembly of the people and dwelt apart in a solitary house until his death. From this it came about that he was deprived of the administration of the kingdom and his son judged the people in the city. Hence the argument is constructed thus: If on account of bodily leprosy a priest could formerly judge a king and deprive him of his kingdom, why cannot he now do so because of spiritual leprosy—that is, heresy—which leprosy signified, as St. Augustine teaches (book 1, Quaestiones Evangeliorum, q. 40), especially since Paul says in 1 Corinthians 10 that all these things happened to the Jews "in figure"?

To this argument Barclay replies that the king Uzziah was, by the priests' judgment, separated from the rest of the people on account of leprosy; and in the same way now a king can, by the Supreme Pontiff's judgment, be separated from the fellowship of the faithful by excommunication on account of heresy. But he denies that Uzziah was deprived of his kingdom and therefore denies that a king can be deprived of his kingdom by the Pontiff on account of heresy. He proves that Uzziah was not deprived of the kingdom from the fact that Scripture attests that he began to reign at sixteen years of age and reigned fifty-two years (4 Kings 15; 2 Chronicles 26); thus he reigned from his sixteenth year until his death. He also proves it from the fact that Scripture says: "Jotham, the king's son, was governor of the palace and judged the people of the land"; from which it is gathered that the king's son administered the kingdom not by his own authority but in the name of his ailing father. So Barclay.

I reply: Uzziah, struck with leprosy, indeed retained the royal name, but his son, without the royal name, administered the kingdom with full power. Josephus attests this expressly (Antiquities, book 9, chapter 11), where he says: "Uzziah lived as

a private man in a solitary house, and his son administered the commonwealth." Sacred Scripture indicates the same sufficiently when it says, "The king's son judged the people of the land," and does not add that he did this by his father's order or in his father's name, nor that during the whole time in which the king, struck with leprosy, remained in the solitary house, any part of the government in any way pertained to him. This is what I meant when, in the argument, I said that Uzziah was compelled to renounce the kingdom in favor of his son. By "kingdom" I did not mean the title "king," but authority; and that authority the father did not retain, but "lived as a private man," as Josephus says. The force of the argument taken from the example, then, lies in this: just as king Uzziah, struck with leprosy, was by the priests' judgment compelled to dwell in a solitary house and, laying aside the administration of the kingdom, to live as a private man, so also a heretical king can, by the judgment of the Supreme Priest through excommunication, be separated from the assembly of the devout not only with respect to the communion of the sacraments and of prayers—as Barclay allows—but also with respect to the forensic judgment and the administration of the kingdom—which Barclay denies.

"But the royal name was left to Uzziah." True; but for that reason the royal name need not be left to a man excommunicated and deposed because of heresy. For spiritual leprosy is worse than bodily leprosy; and the Christian priest is more excellent than the Levitical priest; and the thing signified is more perfect than the sign. The paschal lamb is not equal to Christ crucified; manna is inferior to the Eucharist; and circumcision does not equal baptism.

As to Barclay's discussion of the difference between the authority of reigning and the administration of the kingdom: this is beside the point, first because Uzziah must be said to have been

deprived not only of administration but also of authority—since Josephus says that after receiving the blow of leprosy he "lived as a private man in great sorrow"—and second because Barclay does not concede that a heretical king can be deprived of the administration of the kingdom. He speaks thus (p. 312): "What I said—that the Pope can separate a heretical king from the communion of the faithful by excommunication—is to be understood of a spiritual separation of souls, not of bodies; for subjects ought not to deny obedience to an excommunicated king." He, therefore, as he also taught above, does not allow that the Pontiff can forbid a heretical king the administration of the kingdom and assign him a guardian, as he admits was done for king Uzziah when his son was given him as guardian. Therefore he falsely says later that the figure of Uzziah, of leprosy, and of separation fits beautifully with a king, with heresy, and with excommunication; and that from this figure the Pontiff's temporal power is shown to be altogether fictitious, usurped, and alien to divine law. How does the figure agree with the thing figured if in the figure the king is made to dwell in a solitary house and to transact no business of the kingdom, while in the thing figured the king is made to reside freely in the royal city and to administer justice as he did before? And since the truth of the figure requires that in the thing figured there be found nothing less but rather something more than in the very figure, it is necessary that the heretical king be deprived both of the administration of the kingdom and of authority itself by the Pontiff's sentence. How then, from this figure, is the Pontiff's temporal power shown to be fictitious and usurped and alien to divine law? Let our argument, therefore, stand: it was aptly taken from the example, nor could it be overthrown by Barclay.

CHAPTER THIRTY-EIGHT
THE SECOND EXAMPLE FOR THE POPE'S POWER IN TEMPORAL MATTERS IS DEFENDED

Barclay then in chapter 28 proposes the second example we adduced, from 2 Chronicles 23, where it is narrated that Queen Athaliah, who favored the superstition and idolatry of Baal, was by the high priest Jehoiada deprived of the kingdom and of her life, and Joash was set up as king in her place.

To refute this example Barclay prepares the way with a little digression, drawn from fabricated rumors and his customary slanders against the pontiffs. He writes that I adduced this example lest I be accused before Pope Sixtus V of negligence or collusion if I had omitted what others had noted before. But I had written these things and dictated them in the schools long before Sixtus V was created Pontiff. And then, if I had passed over so many other examples that I had read in Sander—as Barclay himself testifies—why should I have feared to offend the Pontiff if I omitted this one example? What he adds—that Sixtus V intended to force the Society of Jesus to a stricter form of life and to a certain style of dress—is the idle tale of idle men; and it is remarkable that Barclay wished to waste time even in reporting such trifles. What he further appends—that the bull of the same Sixtus V, by which the perpetual rectorship of the Pontifical

Roman College is assigned to the Jesuits, seems supposititious or surreptitious, and that even if it was truly granted by Sixtus, it ought not to be valid because it was obtained immediately after his creation—this does not belong to fables or trifles but to calumny and slander, as if that Pontiff could not in the whole five-year period in which he held the pontificate revoke that bull if he had learned it was supposititious or surreptitious or extorted by fraud.

Leaving these things aside, Barclay answers to the example of Jehoiada the priest deposing Queen Athaliah that the example does not apply to the case, because Athaliah reigned with no right but occupied the kingdom by monstrous tyranny through violence and crime.

This is true—that the beginning of Athaliah's reign was tyrannical and violent. But since she reigned quietly for six years, it is credible that the people by their consent approved her reign, especially since it was not known that one of the sons of the deceased king still survived, and there was a rumor that all had perished. Nor is it new or unusual for the beginnings of reigns to be violent and tyrannical, and yet shortly thereafter, with the people's consent, those rulers are held to be legitimate. Augustus himself—who is counted among the best emperors—unjustly oppressed the commonwealth at first and violently usurped the principate by arms. Otho killed Galba; Vitellius expelled Otho; Vespasian expelled Vitellius; and all were nevertheless hailed emperors by the Senate and People of Rome. What was more atrocious than what Philip did, who removed the legitimate emperor Gordian and usurped his empire? And yet he too was held to be a legitimate emperor. I pass over Odoacer the Herulian, the Goths, and the Lombards—invaders of Italy—and other nearly innumerable cases of those who occupied kingdoms

by force and were afterwards, with the peoples' consent, held to be legitimate kings.

"But," says Barclay, "the priest Jehoiada did not depose Athaliah by his own authority; he exhorted the centurions and soldiers and conspired with them against Athaliah." For Scripture speaks thus: "Jehoiada the priest sent and, taking the centurions and soldiers, brought them into the temple of the Lord and made a covenant with them."

This is true; but it does not prevent Athaliah from having been deposed by Jehoiada's authority. The priest could not accomplish by himself what he had purposed; therefore, having called the centurions and soldiers to himself, he set before them his plan of removing the queen from the throne—both on account of other crimes and because she favored the false religion of Baal; and he was not content with a mere promise from the soldiers, but entered into a covenant with them and bound them by oath that they would cooperate vigorously in his plan. Finally, he himself armed the soldiers, handing over to them the spears and other weapons of King David that were in the house of the Lord; he himself ordered the queen to be killed; he himself crowned the new king; and at his instigation all the people overthrew the temple of Baal and destroyed the altars of idols, and they killed the priest of Baal at the altar.

CHAPTER THIRTY-NINE
THE THIRD EXAMPLE ADVANCED FOR THE POWER OF THE SUPREME PONTIFF IN TEMPORAL MATTERS IS DEFENDED

I had offered a third example from Saint Ambrose, who excommunicated the emperor Theodosius on account of the massacre he had carried out with excessive cruelty at Thessalonica; then he compelled him to enact a law that sentences pronounced for homicide or for the confiscation of goods would not be valid until thirty days after the pronouncement of the sentence—namely, so that if he had dictated anything precipitately in anger, he might within that span, with his mind composed, revoke it. From this example I had concluded that the bishop of Milan was able to judge the emperor who had his seat at Milan. From this in turn I had deduced: if a bishop was able to do this, how much more the prince of bishops, the Pope?

To this example Barclay replies in such a way that, first, he admits that a bishop can take cognizance of the crime of a ruler in the external ecclesiastical forum and punish it with an ecclesiastical penalty, of which excommunication is the prime instance; and that in this way Ambrose examined the case of Theodosius's killing, insofar as it was a sin, and, when that same

Theodosius was made a guilty party, excommunicated him. Then he concedes that it was commanded by Bishop Ambrose that Theodosius enact that law as a penance for the sin committed, without which penance—whether in its fruit or its sign—he would not have released him from the bond of anathema. From these points he infers that Saint Ambrose possessed spiritual jurisdiction over Theodosius, but not temporal or political jurisdiction.

For my part, I did not adduce that example, as regards the excommunication, against Barclay—who had not yet become known to the world—but against others, especially the English Calvinists, who deny that a supreme ruler can be excommunicated by the Supreme Pontiff, or that the Supreme Pontiff has any jurisdiction or power over supreme rulers. As for the civil law that Theodosius enacted at Ambrose's command, we do not deny that it pertains to the fruit of penance and was imposed by the bishop's spiritual power; but we wished to show that ecclesiastical princes are able to dispose of temporal matters not only in the internal forum of conscience but also in the external ecclesiastical forum, insofar as these matters are ordered to spiritual ends. For surely, by the same power by which Saint Ambrose could compel Theodosius—if he wished to be loosed from the bond of anathema—to enact that civil (political) law, by that same power he could compel him to enact some other civil law necessary for the salvation of souls, unless he were willing to be bound by the bond of anathema. From this it is manifestly gathered that, with far greater reason, the Supreme Pontiff, president of the universal Church, is able to command temporal princes, under pain of anathema, to enact civil laws necessary for spiritual good, and conversely to abrogate those that impede spiritual good; and in this way temporal power is subject to spiritual power.

CHAPTER FORTY
THE FOURTH EXAMPLE IS DEFENDED

The fourth example was taken from a privilege granted by Saint Gregory to the monastery of Saint Medard, found at the end of book XII of his Letters, in which these words are read: "If any of the kings, bishops, judges, or of whatever secular persons shall violate the decrees of this Apostolic and our precept, whatever his rank or eminence may be, let him be deprived of his honor," etc. Similar words are found in another privilege of the same Saint Gregory, book I, letter 10, to Senator the abbot.

Barclay speaks thus about this example: "If blessed Gregory lived today and understood that the foregoing words were being taken in this sense—that he himself had the power to deprive kings of their honor and dignity—he would certainly cry out that such an interpretation is calumnious, and that he had never thought of such a thing, not even in a dream. Indeed, other things he wrote elsewhere discredit this exposition. Therefore these are not the words of someone issuing a command but of one uttering an imprecation, by which he warns and adjures every kind of person not to violate the privilege he has granted; and if they do violate it, that God will be their avenger, who will deprive them of their honor. This kind of admonition and imprecation is now always added at the end of papal bulls and

constitutions, in this manner: 'Therefore let no one of men be permitted to…; but if anyone shall presume to attempt this, let him incur the indignation of Almighty God and of the blessed Apostles Peter and Paul,' or, which is the same, 'let him know that he will incur it.'"

I reply: the interpretation of Saint Gregory's words is not mine, but that of another Gregory, equal in dignity and not much inferior in holiness. I mean Saint Gregory VII, the Pope, who in his letter to the Bishop of Metz—number 21 of book eight—brings forward this passage of Saint Gregory to prove that Henry the emperor was lawfully deposed by him: "Blessed Gregory," he says, "the Pope, decreed that kings who presumed to violate the decrees of the Apostolic See should fall from their dignity," writing to a certain Senator abbot in these words: "If any of the kings," etc. "If blessed Gregory, assuredly the gentlest of doctors, decreed that kings who violated the statutes should not only be deposed but also excommunicated and condemned in the eternal judgment—who, then, will reproach us for having deposed and excommunicated Henry, not only a contemner of apostolic judgments, but also, as far as in him lay, a trampler upon Mother Church herself, a most wicked robber of the whole kingdom and of the churches, and a most savage destroyer—unless perhaps someone like him?" So much for Gregory VII. If Barclay refuses to yield to him in the interpretation of Saint Gregory's words, he will be excessively rash; but if he yields, he will have to confess that Saint Gregory the First did not fail to recognize that the power divinely given him extends even to the deposition of kings and princes.

Let us add yet another interpreter of Saint Gregory's words, so that "in the mouth of two witnesses every word may stand": Thomas of Walden, a most learned man, in book XI of the Doctrinale fidei antiquae, article 3, chapter 75. "Surely," he says,

"blessed Gregory did not prejudice, in any respect, the eminence of his position over the imperial station, even though, in view of the business then under discussion, he verbally set the king before himself—something we shall see was fitting at that time—if we examine his later deeds and writings. Consider whether he did not regard himself as master of emperors and kings when, after directing certain privileges to Senator the presbyter and abbot of the Xenodochium of the Franks, he concluded, under a threat against dignity and honor, to every violator: 'If any of the kings,' etc." See how well this doctor refuted Barclay before Barclay was even born.

Barclay says that from other writings of Saint Gregory it is gathered that Saint Gregory did not think he had power over the kings of the world, although his words seem to signify that he did. Thomas of Walden contradicts this, arguing that from other writings of Saint Gregory it is gathered that Gregory verbally subjected himself to the emperor, but in reality did not ignore the eminence of his rank above the imperial station. Barclay says that Saint Gregory's words sound like an imprecation, which any private person can add to his letters; Thomas of Walden, on the contrary, says that Saint Gregory's words sound like a threat touching honor and dignity—something that no one can annex to his letters unless he is a supreme prince. Whether greater credit should be given to Barclay alone than to two men of such eminence and learning is a foolish question even to raise.

But even if the matter is examined from Saint Gregory's own words, the entire question will be resolved without difficulty. Saint Gregory joins together three things at once, namely: "let him be deprived of his honor; let him be separated from the communion of the faithful; let him be condemned in the divine judgment to eternal punishments." The latter two do not contain an imprecation, but a decree, or a declaration. For a prelate who

says, "let him be excommunicated who does this," does not imprecate excommunication; he orders that the person be excommunicated. And one who says, "let him who does this be condemned to eternal punishments in the divine judgment," does not imprecate eternal damnation (for who could be found so cruel as to imprecate this?), but declares that whoever does this will be sinning most gravely and will deserve eternal punishments in the divine judgment. Therefore, in the same way, the clause "let him be deprived of his honor" is not an imprecation but a decree—that he fall from his honor—and a declaration, namely, that it is lawful for the people not to obey such a king, as one deprived of his honor and dignity.

So too the concluding words of Apostolic Constitutions do not signify an imprecation, as Barclay mistakenly explains (for the Supreme Shepherd and Vicar of that Good Shepherd who laid down his life for his sheep would not imprecate upon the sheep the indignation of Almighty God); rather, they contain a declaration and denunciation of the gravest penalty that will undoubtedly overtake the despisers of apostolic precepts. This is plainly signified by the words: "let him know that he will incur the indignation of Almighty God and of the blessed Apostles Peter and Paul." Therefore, if Saint Gregory were now living on earth, he would assuredly cry out that Barclay's interpretation is calumnious, and that he had never imagined anything of the sort, not even in a dream.

CHAPTER FORTY-ONE
THE FIFTH EXAMPLE IS DEFENDED

The fifth example is that of Gregory II, who, after excommunicating the emperor Leo, forbade that taxes be paid to him by the Italians and thus mulcted him of a part of the Empire.

To refute this and the subsequent examples, Barclay first prefaces a rather prolix admonition against arguments drawn from examples—forgetful of the arguments he himself had drawn from the examples of ancient pontiffs and emperors, from which he claimed to demonstrate most fully that there is no power in the Pontiff to dispose of temporal matters. But since such commonplaces can be adapted to every disputation, I set them aside and come to the matter at hand.

Barclay, then, flatly denies the truth of what historians hand down—that Italians were forbidden by Pope Gregory II to pay tribute to the heretical and excommunicated emperor. His entire reason is that Platina, in the Life of Gregory II, writes that when the peoples wished to revolt from the heretical emperor, Gregory resisted and, by his authority, kept them in the faith and obedience of the emperor. Why, he asks, should greater credence be given to a single Platina than to the other historians, who are both earlier and more numerous? He gives this reason: because Platina wrote the histories of the popes at the command of Sixtus

IV and had access in Rome to many ancient monuments; and also because Gregory, being an excellent and most just Pontiff, would never have ordered, contrary to the Gospel, that tribute be denied to Caesar, who remained Caesar and Augustus until his death.

But this disputation of Barclay is so weak and feeble that it is no wonder he tried a little earlier, by a long preface, to diminish the authority of examples. He saw that he could bring forward nothing solid to refute an example so ancient and so evident.

First, then, I say that Platina is not at odds with the other historians, if one distinguishes the times. For it is true that for many years Gregory resisted the Italian peoples who desired to revolt from the emperor. He hoped that through his continual exhortations the emperor would at some point yield and return to a better mind and sounder counsels; and this is what Platina truly relates. But when the Pontiff saw that he was laboring to no effect and that the emperor was becoming worse by the day, he "laid the axe to the root," expelled the emperor from the fellowship of the pious, and ordered that the Italian peoples should not obey him as impious, nor henceforth pay him taxes. Platina does not deny this, and very many Greek and Latin historians affirm it, whom I have cited in my book. See Cardinal Baronius, Annals, tome IX, under the years of salvation 726 and 730, on this whole affair.

Second, I say that if Platina did say the contrary, more credence ought to be given to the other historians than to him; for they are many, earlier, more diligent, and they write the histories of the times, not, as Platina does, the life of a single Pontiff. How little diligent Platina was in examining the documents of the Roman archives can be gathered from this at least: that Onofrio Panvinio, in his Additions to Platina, points out many omissions and errors of Platina himself; and in the

addition prefixed to the Life of Gregory II he notes that the empire which Leo III, the heretical emperor, held in Italy was justly taken from him by Gregory II, the Roman Pontiff.

Third, I say that Gregory, a most holy man, did not sin against the Gospel when he forbade the peoples of Italy to pay tribute to a heretical emperor. For what the Lord says, "Render to Caesar what is Caesar's," is understood of a Caesar who rules legitimately. But that Leo, who, on account of the crime of heresy, had been publicly excommunicated by the Supreme Pontiff and deposed from the empire, was not truly and by right Caesar, but a tyrant and a persecutor under the title of Caesar.

"But," says Barclay, "Leo remained in the empire until his death." I reply: among the Greeks—especially the heretics—he remained emperor de facto, not de iure; among the Latins, and particularly among the Italians, he remained neither de iure nor de facto.

CHAPTER FORTY-TWO
THE SIXTH EXAMPLE IS DEFENDED

The sixth example is that of Pope Zachary, who deposed Childeric, king of the Franks, and substituted Pepin. Against this example Barclay opposes many points, which must be refuted one by one. First, he contends that Childeric was king in name only, like—so he puts it—the king in chess. I reply: it cannot be denied that Childeric did absolutely nothing in the realm by his own agency, but that the kingdom and its affairs were administered by the princes and especially by the mayor of the palace, as Aimoinus relates (book IV, chapter 61). Still, it is not true that he was king in name only; for he was king by right of succession, and, as a true and legitimate king, he had been anointed and crowned, and had received from the peoples the oath of fidelity. Nor can Barclay deny this without contradicting himself; for a little later he writes that the gravest injury was inflicted on Childeric by Pope Zachary and by Prince Pepin when he was cast down from the kingdom. But what injury could be done to one who, without any right at all, bore only the false name of king? And why did Pepin burn with the hope of the kingdom and, not dissembling, aspire to the royal name (as Barclay himself says a little below) if Childeric possessed nothing but an empty title?

Second, Barclay says that Childeric was deposed unjustly; in which view he has as companions John Calvin (Institutes, book IV, chapter 7) and Illyricus in the Magdeburg Centuries (century 8, chapter 10). But we prove that he was deposed justly, first from the testimony of all the writers: for all relate this history with praise. See Cedrenus in the Life of Leo the Isaurian; Paul the Deacon, History of the Lombards, book VI, chapter 5; Einhard in the Life of Charlemagne; Regino, book II of the Chronicle; Marianus Scotus, book I of the Chronicle; Otto of Freising, History, book V, chapter 55; Ado of Vienne in his Chronicle; Aimoinus, De gestis Francorum, book IV, chapter 61; the Abbot of Ursperg and Sigebert in their Chronicles; Blondus, book X of the first Decade; Paulus Aemilius, De gestis Francorum, books I and II; Robert Gaguin, Papirius Massonus, and all the others, the heretics excepted. Second, from the cause: for not only Childeric, but also some of his predecessors, took care of no affairs of the kingdom; and, owing to their sloth, the Christian religion was suffering grievously in that realm, as Saint Boniface, Bishop of Mainz, writes in a letter to Pope Zachary. Third, from the worth of the author and the executor: for Zachary, by whose authority this deed was done, was by the consent of all a most holy and most wise man. Saint Boniface, who at Pepin's command anointed and crowned him, was not only an outstanding doctor but also a most glorious martyr. Finally, from the event: for this translation of the kingdom of the Franks from Childeric to Pepin, with God's blessing, was most fortunate and most useful to the realm and to the Church.

"But," says Barclay, "it is never lawful to do evil so that good, however great, may result; and for a legitimate king to be deposed by his own subjects, or for him to consent to those who depose him, when he has only God above him, to whom alone he is bound to give an account of his deeds, is in itself and simply evil,

as we have shown above." I reply: Childeric was not deposed by his subjects, but was deposed by right by the Pope, who was his superior; for Zachary did not merely give his assent to Childeric's deposition, but deposed him by his authority, as we shall presently show. Nor has Barclay demonstrated by any solid argument above that kings have no one above them but God alone, to whom alone they are bound to give an account of their deeds. Let the reader review what has been said above and judge.

Third, Barclay mocks the argument I drew from the happy outcome to prove that Childeric was justly deposed; and he says it is a plebeian and childish argument, citing the poet who says:

Careat successibus opto
Quisquis ab eventu facta notanda putet

"May he lack success—so I wish—
whoever thinks deeds ought to be judged by their outcome."

He adds that the translation of the kingdom of the Franks from the Carolingians to the Capetians had the same happy outcome; and yet it is well known, he says, that Hugh Capet, by a most heinous crime, stripped the Carolingians of the kingdom and transferred it to his own Capetians. I reply: an argument from a mere chance outcome surely has little force—just as if someone were to condemn an emperor's prudence or skill solely from the fact that he was not victorious in battle; for loss of victory often happens from some cause other than the emperor's imprudence or lack of skill. Yet an argument from a happy event proceeding from the providence of God is not without force, especially when it is joined with other arguments; for God is

wont to favor justice, unless for some reason known to His wisdom it should seem fitting to act otherwise.

As for what Barclay censures—that Hugh Capet was guilty of a most heinous crime and of a usurped kingdom, and he produces Gaguin as his authority—we oppose to him Cardinal Baronius, who, in the tenth tome of the Annals, under the year of the Lord 987, with many arguments proves that Hugh was the legitimate king, and that in him the stock of Charles the Great did not fail but continued on. Nor are others lacking who defend that same Hugh, such as Papirius Massonus and others; and Gaguin does not say that this was done by Hugh "through a most heinous crime." Surely a great argument may be drawn from this, that Robert the Pious, who reigned together with his father Hugh and after him, was a most devout and most holy man; for so great a piety could not cohere with an unjust usurpation of another's kingdom.

Fourth, Barclay says that Saint Boniface did not sin in executing the mandate of Pope Zachary, even though Zachary sinned in issuing the mandate. He gives the reason: because, he says, Boniface was bound to carry out the Pope's sentence, even if he had known it was unjust; and thus, although Zachary would have been guilty of iniquity in commanding, the order of service and the necessity of obedience would have shown Boniface to be innocent. He cites the canon Pastoralis, § Qui vero, De officio judicis delegati; and the canon Quid culpatur, 23, q. 1; and the canon Miles, 23, q. 5. I reply: this statement is not merely plebeian or childish, but plainly heretical; for it is opposed to the express word of God: "We must obey God rather than men" (Acts 5); which Saint Augustine and other Fathers make clear, as cited in 11, q. 3, can. Iulianus, and in many other canons of the same question. In that canon Pastoralis, § quia vero, where it is said that an unjust sentence is to be carried into execution by an

inferior, the gloss rightly teaches that the sentence there called "unjust" is absolutely just, because it is justly introduced by law that judgment be given against the one who did not appeal within the prescribed time, even if otherwise he would have had a just cause; and in the same place, the gloss most correctly declares that a manifestly unjust command of a superior is not to be obeyed. And in can. Quid culpatur, 23, q. 1, Saint Augustine speaks against Barclay when he says that a superior is to be obeyed when either it is not certain that what is commanded is unjust, or when it is certain that it is not unjust; whence it follows that when it is certain something is unjust, it is in no way to be obeyed. Finally, in can. Miles, 23, q. 1, the matter at issue is not the justice or injustice of a command; it only determines that to kill a man by private authority is a sin, whereas it is otherwise if it is done by public authority. Therefore, blinded by love of his own position, Barclay either was unwilling, or was unable, to understand the law.

Fifth, he says that Pope Zachary assented to the Franks when they wished to depose Childeric and create Pepin king; but that, by his own power or authority, he neither deposed Childeric from the kingdom nor transferred the kingdom to Pepin; and consequently nothing can be drawn from this example to show the Roman Pontiff's authority in deposing or creating kings. But this is excessive rashness, since the contrary is manifestly proved by the testimony of all historians.

1) The very ancient Annals of the Franks read thus: "Having given his authority, Zachary ordered that Pepin be established as king." 2) Einhard, in the Life of Charlemagne: "Pepin," he says, "by the authority of the Roman Pontiff, was established as king from being Mayor of the Palace." 3) Aimoinus, De gestis Francorum, book IV, chapter 61: "The Pontiff," he says, "having given his authority, ordered that Pepin be instituted king."

4.)Regino, book I of the Chronicle: "Zachary," he says, "by Apostolic authority, ordered that Pepin be created king and be anointed with the oil of holy unction." 5) Lambert of Schafnaburg, in his History: "Pepin," he says, "by the decree of Pope Zachary, through the unction of Saint Boniface, was proclaimed king." 6) Sigebert, in his Chronicle: "In the year 750," he says, "Prince Pepin, by Apostolic authority and the election of the Franks, was consecrated king by Saint Boniface; and in the year 752 he was again anointed king by Pope Stephen." 7.)Hermann the Lame, in his Chronicle: "In the year 752," he says, "Pepin, by the authority of Pope Stephen—after King Hilderic had been tonsured and deposed—was made king of the Franks." 8) Marianus Scotus, book II of the Chronicle: "Pope Zachary, by the authority of Saint Peter the Apostle, commands the people of the Franks that Pepin, who wielded royal power, should also enjoy the dignity of the name. Thus King Hilderic, who was the last of the Merovingians to rule the Franks, was deposed and sent into a monastery." 9) The Abbot of Ursperg, in his Chronicle: "In the year 750," he says, "Pepin, by the authority of Pope Zachary, was chosen to the kingdom according to the custom of the Franks, and through the hands of Saint Boniface was raised to the throne of the realm. And below: Pope Stephen confirmed Pepin in the honor of royal dignity by sacred unction." 10) Otto of Freising, History, book V, chapter 22: "By the authority of Pope Zachary," he says, "Pepin is elected to the kingdom." 11) Albert Krantz, Metropolis, book I, chapter 14: "With good reason," he says, "the Supreme Pontiff and the king of the Gauls exalt one another with mutual favors, since from the beginning this See rendered this service to the house of Charles, that it should possess royal dignity." 12) Paulus Aemilius, on Childeric: "Zachary," he says, "released the Franks from the oath

sworn to Childeric, and they, having held an assembly, hailed Pepin as king."

We have twelve witnesses: some testify that it was by Apostolic authority, others by the authority of the Pontiff, others by the authority of Saint Peter, still others by the decree of the Pope, that Childeric was deposed and Pepin elevated. The last writes that the Franks did not dare hail Pepin as king unless first they were released by the Pontiff from the oath by which they were bound to King Childeric. And yet Barclay, with his customary rashness, denies that this was done by the authority or decree of the Pontiff. Only one step remains, namely, that—together with Matthias Illyricus, the most notorious heretic of our times and the most mendacious of historians—he should say that what our writers affirm, that the kingdom of the Franks was transferred by Pope Zachary from Childeric to Pepin, is a lie and a fabrication. See Illyricus at the beginning of his book On the Translation of Empire.

EPILOGUE

Since Barclay has vainly sought to overturn the first six examples, the remaining six he either passed over of set purpose —perceiving them to be too evident to be obscured by the mists of his cavils—or else, overtaken by death, he was unwillingly compelled to leave the contest unfinished. Be that as it may, he has gone hence and now stands before that Judge whom none may deceive, and before whom the favor of princes availeth nothing.

As for myself, who must ere long appear before the tribunal of that same supreme Judge, I trust I may bear witness with a good conscience that I have written nothing out of favor, nothing out of malice. I have set down what I judged to be true, what I learned from the Church, what many before me—learned men and even Saints—have borne witness to. Nor did I enter this arena unprovoked; but being assailed by one unknown to me, I was constrained, in old age, to defend that which I had written in youth.

If I have defended aright the pontifical power and my former writings, as I greatly desired, I render most humble thanks unto Almighty God, in whose hand are both we ourselves and the words we speak. But if contrariwise, through human frailty, I have erred in aught, whether small or great, I implore pardon

from Him who is gentle and lowly of heart, abounding in mercy toward all who call upon Him.

Finally, to the judgment of Holy Church, and of the Supreme Pontiff himself, the Vicar of Christ, I willingly and most gladly submit not only this present work, but the whole of my writings.

The End of This Treaties

The Power of the Supreme Pontiff

In this exacting and polemical work, Cardinal Robert Bellarmine, of the Society of Jesus—the most formidable controversialist of the Counter-Reformation and a master of the Roman scholastic tradition—confronts the political theory of William Barclay, who denied the indirect temporal authority of the Roman Pontiff.

With juridical precision and theological acumen, Bellarmine gathers the testimonies of Fathers, canonists, theologians, and councils into a single forensic tribunal, weighing their consensus against Barclay's novelty. His method is rigorously scholastic: he distinguishes absolute from indirect power, natural from supernatural ends, and direct temporal jurisdiction from temporal mediation subordinated to spiritual finality. Every claim is tested against authoritative sources—Gregory VII, Innocent III, the Decretals, the Angelic Doctor—before being synthesized into a coherent doctrine of papal plenitude of power in ordine ad spiritualia.

This treatise is not merely an historical refutation of Barclay but a systematic articulation of Catholic political theology. It advances the thesis that while civil dominion arises from natural law, it is subordinated to the supernatural order; thus, in cases where temporal rule endangers the salvation of souls, the Pope, as Vicar of Christ, may intervene even to the deposition of princes.

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